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Political Disquisitions: Or, an Enquiry into public Errors, Defects, and Abuses. Illustrated by, and established upon Facts and Remarks extracted from a Variety of Authors, ancient and modern Calculated To draw the timely Attention of Government and People to a due Consideration of the Necessity, and the Means, of Reforming those Errors, Defects, and Abuses; Bd.: 3

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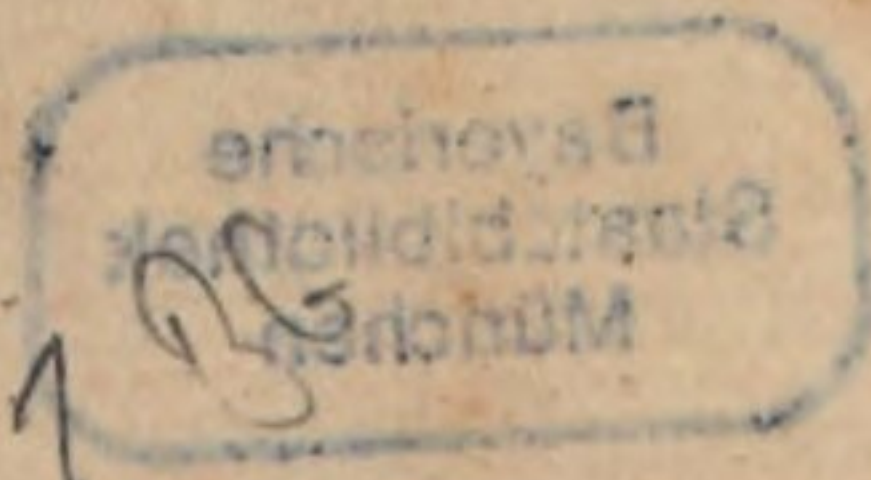
ΜΕΤΑ ΤΟΝ ΠΕΡΙ ΘΕΩΝ ΛΟΓΟΝ, κ. τ. λ. After treating of our duty to the
Gods, it is proper to teach that which we owe to our Country. For our
Country is, as it were, a *secondary* God, and the first and greatest *Parent*.
—It is to be *preferred* to Parents, Wives, Children, Friends, and all
things, the Gods only excepted.—And if our Country perishes, it is as
impossible to save an *Individual*, as to preserve one of the fingers of a
mortified hand.

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DISQUISITION

An ENQUIRY into public Errors,
Doctrines, and Axioms, which have
been received by the People of England

and the Kingdoms of Wales,
POLITICAL

DISQUISITION, &c.

To give the Reader a true Idea of the

Manner in which the People of England
have been taught, and which we are to
consider, as it were, a *second* *edition* of
the *first* *edition*, and all
things, the *God* only *knows*, and *we* *know* *nothing*, it is as
impossible to have an *idea* of the *power* of a
created *being*, as to have an *idea* of the *power* of a
created *being*.

By J. B. Author of the *History of the*

THE HISTORY OF THE

Vol. III.

LONDON

Printed by B. Franklin and W. D. D.

MDCCCLXX

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ancient and modern.

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of the Necessity, and the Means, of RE-
FORMING those ERRORS, DEFECTS,
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By J. B. Gent. Author of the DIGNITY of HUMAN
NATURE, and other Tracts.

VOLUME THE THIRD AND LAST.

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A D V E R T I S E M E N T.

WHEN the Author wrote the General Preface to these Disquisitions, he proposed to lay before the Public more than three volumes of the materials he had collected. What these three volumes contain, is the most interesting to the Public ; and his health daily breaking, disqualifies him for proceeding farther at present.

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POLITICAL DISQUISITIONS, &c.

BOOK I.

Of Manners.

CHAP. I.

Importance of Manners in a State.

THIS work professes itself to be an inquiry into public errors, deficiencies, and abuses. And surely there is no grosser error, no deficiency more fatal, no abuse more shameful, than a nation's losing the proper delicacy of sentiment with regard to right and wrong, and deviating into a general corruption of manners. Has ambition raised a tyrant, a *Cæsar*, or a *Charles*, to despotic power? The sword of a *Bru-tus*, or the axe in the hand of the man in the mask, in a moment sets the people free. Has an aristocracy of thirty tyrants, as at *Athens*, seized the liberties of a country? A bold *Thrasybulus* * may be found, who com-

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ing

* *Corn. Nep. VIT. THRASYB.*

ing upon them in their secure hour, shall, by means perhaps seemingly very inadequate, blast all their schemes, and overthrow the edifice of tyranny they had set up, burying them in its ruins. The people thus set free, if the spirit of liberty be not extinct among them, and their manners generally corrupt, will preserve their recovered liberties. If their manners be so universally debauched, as to render them incapable of liberty, they will, as the degenerate *Romans*, upon the fall of *Julius*, set up an *Augustus* in his place. It is impossible to pronounce with certainty concerning any country, as the angel did of the devoted cities, that the decline of manners in it is universal and irretrievable. But where that is the case, the ruin of that country is unavoidable, the disease is incurable. For vice prevailing would destroy not only a kingdom, or an empire, but the whole moral dominion of the Almighty throughout the infinitude of space.

The excellent *Montesquieu*, teaches the necessity of manners, in order to gain the effect proposed by laws; and brings several instances where the manners defeated the purpose of laws. Nothing, he says, could appear to the *Germans* more unsupportable than *Varus's* tribunal. They cut out the tongues of the advocates, who pleaded at the bar, with these sarcastic words, as related by *Tacitus*, ‘Viper! give over hissing.’ The trial ordered by the emperor *Justinian*, on occasion of the murder of the king of the *Lazians*, appeared to that people a horrible and barbarous thing. *Mithridates*, king of *Pontus*, haranguing against the *Romans*, reproaches them, above all things, with the formalities of their courts of justice. The *Parthians* could not endure a king, set over them by the *Romans*, because, having been educated in a commonwealth, he

was

was free and affable. Even liberty and virtue to an enslaved and vicious people, become odious and insupportable, as a pure air is disagreeable to those who have lived in a marshy country. No people ever lost the spirit of liberty but through the fault of their government.

Liberty cannot be preserved, if the manners of the people are corrupted; nor absolute monarchy introduced, where they are sincere, says *Sidney* ON GOVERNMENT.

When *Antigonus*, and the *Achaians*, restored liberty to the *Spartans*, they could not keep it; the spirit of liberty was gone.

When *Thrasybulus* delivered *Athens* from the thirty tyrants, liberty came too late; the manners of the *Athenians* were then too far gone into licentiousness, avarice, and debauchery. There is a time, when a people are no longer worth saving.

When the *Tarquins* were expelled, *Rome* recovered her liberty. When *Julius* was stabbed, *Rome* continued in slavery. What occasioned such different consequences from the same measure in this same country at different periods? In the times of the *Tarquins*, *Rome* was incorrupt; in those of *Cæsar*, debauched. Even in the dictators' times, a few more *Catos* and *Brutus*es would have restored liberty. For the people are always interested against tyranny, if they can but be properly headed. Half the firmness the *Dutch* shewed against the *Spanish* tyranny, would emancipate *France*.

When the *Romans* were defeated by *Hannibal*, most of their allies forsook them. But *Hiero* king of *Sicily* saw that the constitution of the republic was still sound, and rightly concluded, that she would recover. He would not have thought so in the times of *Lucullus*, of

Cinna, Sylla, &c. when corruption was wasting all like a pestilence.

‘ *Il ne faut pas beaucoup de probite, &c.* Great probity is not essentially necessary for the support of a monarchy, or despotic government. The force of laws in the former, in the latter the arm of the prince lifted up, commands all. In a popular government, another engine is necessary, viz. virtue; because nothing else will keep up the execution of the laws, and the practice of what is right^a.’ This sentiment is oracular. And what then is the prospect we have before us?

Where the manners of a people are gone, laws are of no avail. They will refuse them, or they will neglect them. There are in our times more of the laws ineffectual, than those that operate. And on every occasion of misbehaviour, we hear people cry, there ought to be such or such a law made; whereas, upon inquiry, it is perhaps found that there are already several unexceptionable laws upon the head standing; but, through want of manners, a mere dead letter.

‘ If all parts of the state do not with their utmost power promote the public good; if the prince has other aims than the safety and welfare of his country; if such as represent the people do not preserve their courage and integrity; if the nation’s treasure is wasted; if ministers are allowed to undermine the constitution with impunity; if judges are suffered to pervert justice and wrest the law; then is a mixed government the greatest tyranny in the world: it is tyranny established by a law; it is authorised by consent, and such a people are bound with fetters of their

^a *Montesq.* i. 31.

‘ their own making. A tyranny that governs by the
 ‘ sword, has few friends but men of the sword; but
 ‘ a legal tyranny, (where the people are only called to
 ‘ confirm iniquity with their own voices) has on its
 ‘ side the rich, the timid, the lazy, those that know
 ‘ the law, and get by it, ambitious churchmen, and
 ‘ all those whose livelihood depends upon the quiet
 ‘ posture of affairs: and the persons here described
 ‘ compose the influencing part of most nations; so
 ‘ that such a tyranny is hardly to be shaken off. Men
 ‘ may be said to be enslaved by law or their own con-
 ‘ sent under corrupt or degenerate republics, such as
 ‘ was the *Roman* commonwealth from the time of *Cinna*
 ‘ till the attempts of *Cæsar*; and under degenerate
 ‘ mixed governments, such as *Rome* was, while the
 ‘ emperors made a show of ruling by law, but with an
 ‘ influenced and corrupted senate, to which form of
 ‘ government *England* was almost reduced, till the King
 ‘ came over to put our liberties upon a better foot^a.”

Plato^b calls virtue the health of the mind, and vice
 its disease and disorder. Αρετη μὲν γὰρ ὡς εἰκεν, κ. τ. λ.
 That nation is in a dreadful way, in which almost
 every mind is *diseased* and *disordered*.

The ancient politicians placed their whole depen-
 dence for the safety of their governments, on the vir-
 tue and patriotism of their people. Now we place our
 security in our commerce, our fleet, our treasures,
 our ministry's skill in managing a house of commons.
 Formerly the fortunes of private men were the strength
 of the state. Now the public money is the object of
 the general avarice. The great kingdoms and states of
 antiquity had the same internal force of men and mo-

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ney,

^a *Daven.* II. 300.

^b *DE REPUBL.* IV. *in fine*:

ney, after they lost their liberties, as when they had them. But a nation of men, who only fight for their country, or undertake the administration of their country, because they are paid for it, are very different from a nation of men who are willing to die for their country.

‘ *Elle [Athenes] considerait, &c.* The Athenians considered, that in a republic manners were above all things necessary^a. In *England* we never consider this.

The *Athenians* did not suffer those who frequented lewd women, to harangue the people. *Demosthenes* highly approves this law^b.

‘ It is of great consequence (says *Solon* in his letter to *Epimenides*), of what dispositions those are, who influence the common people^c.’

A magistrate overtaken in liquor was severely punished; the first archon, though accidentally, with death.

It was impossible for any man at *Athens* to live a dissolute life unreprieved: for every man was liable to be sent for by the *Areopagites*, to be examined, and punished, if guilty. At *Rome* the censors had the same power^d. We Christians may be as wicked as we please. Our governments encourage vice for the benefit of the revenues.

Emmius^e accounts for the long duration of liberty in the *Athenian* republic, by observing that the people were of a sublime, bold, and penetrating genius, as much superior to the other states of *Greece*, as the other states of *Greece* were to the barbarous people. That there

^a *Montesqu.* III. 32.

^b *ANT. UNIV. HIST.* VI. 314.

^c *Ibid.* XLI.

^d *Ibid.* VI. 330.

^e *DE REP. ATHEN.* I. 107.

there was continually rising among them a succession of men eminent for political wisdom and integrity, who planted in the minds of the people sentiments of true patriotism, and inspired them with such a love of liberty, that every *Athenian* was ready to pour out his best blood for its preservation. That the people were, by *Solon*, taught, that the strength of a free state consists in its laws; that laws are nothing, unless they be obeyed; that laws will not be obeyed, unless honour be given to the obedient, and punishment inflicted on transgressors; that the laws are not to be subjected to the government, but the government to the laws; that riches, interest, and party are to yield to the laws, not the laws to them. That therefore in the best times of that commonwealth, honours and rewards were given in such a manner, as tended to lead the persons honoured and rewarded to gratitude rather than to ambition, which *Demosthenes* exemplifies in the case of *Miltiades*, *Cimon*, *Themistocles*, and others. And on the contrary, whoever made himself obnoxious to the laws of his country, was to expect no alleviation on account of his riches, his family, or even of his former meritorious actions. Accordingly *Miltiades*, *Themistocles*, *Cimon*, and others, though eminent for their public services, were not spared, when thought to have violated the laws. For the *Athenians* considered, that it is the duty of a citizen to behave well, not on one occasion only, but at all times; not to be at first zealous, faithful, and obedient, and afterwards a lawless plunderer; for that this is not the behaviour of men of principle, who are uniform in their conduct, but of artful and insidious men, who study only to surprise the public opinion, that they may deceive with the better success. That the *Athenians* were, above all other nations, severe against corruption above all other

offences, as what tends most directly to the destruction of states. The *Athenians*, therefore, punished this crime with a fine to ten times the value of the bribe, or with outlawry, or death; some of which punishments were inflicted even on those, who had on other occasions deserved well of their country, as *Timotheus*, *Epicrates*, *Thrasybulus* the younger, and others. Another cause of the flourishing state of the *Athenian* republic, was the encouragement given to marriage and population. Another was the wise severity of *Solon*, in bringing upon the offences of magistrates a swifter punishment than on those of private persons; for that the latter might be delayed; but if the former was put off, things might quickly come into such disorder, that it would be too late to think of punishing powerful offenders; besides, that the offences of private persons may be compared with those of the common sailors, on board of a ship, which may not prove fatal to the crew; but the crimes of magistrates are like those of the master, or pilot, which endanger the loss of ship, loading, crew, and passengers. That *Solon* likewise laid great stress on the education of youth, that they might be habituated to virtue, industry, courage, and love of their country. That his laws tended to honour wisdom and virtue, and to bring disgrace on the contrary characters, by refusing to men of profligate lives all honours in the state, and even forbidding them to speak in the *εὐκκλησία*, or assembly of the people. For the wise legislator thought there was little probability, that he, who could not manage his own private estate, would administer that of the public with frugality and wisdom; and that the people would not, or however ought not, to pay any regard to the patriotic harangues of a man, who studied more to polish his speeches, than to regulate his life.

While

While all *Europe* groaned under the chain of *Roman* tyranny, the *Germans*, and northern nations, preserved their liberty.

Tacitus says, nobody among the *Germans* laughs at vice, or apologises for corruption, by saying, it is universally practised^a. But the *Germans* were barbarous heathens; we are polite christians.

Hannibal, when prætor of *Carthage*, set about reforming abuses, regulated the finances, restrained the injustice of the judges, and peculation of the grandees, and collectors of the revenues, who were got to such a degree of open corruption, that they pretended a lawful title to whatever they could plunder from the people. The many proved of course too hard for one. Yet (such is the advantage of integrity) they had no means for this purpose, but exciting the *Romans* against him. The consequence was, that this illustrious warrior and reformer, who had bled for his country, and had laboured for its reformation, was driven into exile, and hunted from country to country, like a felon, and at last beset in his retirement by his enemies, and only escaped the cruelties, they would have inflicted on him by destroying himself.

Every page of the history of the great revolution of *Rome* shews some instance of the degeneracy of the *Roman* virtue, and of the impossibility of a nation's continuing free after its virtue is gone.

It is thought by many of the authors of this part of the *Roman* history, that such was the corruption of manners, that the greatest part of those who opposed *Julius*, were enemies to the man rather than to his cause^b.

Would

^a DE MOR. GERM.

^b ANT. UNIV. HIST. XIII. 410.

Would the *Romans* in the times of *Scipio*, have suffered *Cæsar* to keep his government in *Gaul*, to debauch the army, and openly corrupt the people? No. There were times when ten *Pompeys* and twenty *Cæsars* could not have enslaved the *Roman* people.

A tender virgin of eighteen years of age, has but little strength of body, compared with that of an athletic ravisher inflamed with lust. Yet we find she can preserve her honour safe, if she pleases, even against his utmost strength; and in fact, scarcely any woman loses her virtue, no nation its liberties, without their own fault. What *Milton* says of one is true of both.

—————Chastity!

She who has that, is clad in complete steel,
And like a quiver'd nymph, with arrows keen
May trace huge forests, and unharbour'd heaths,
Infamous hills, and sandy perilous wilds,
Where through the sacred rays of chastity
No savage fierce, bandit, or mountaineer
Will dare to foil her virgin purity.
Yea there, where every desolation dwells
By grots and caverns shagg'd with horrid shades,
She may pass on with unblanch'd majesty,
Be it not done in pride, or in presumption.

—————But when lust,

By unchaste looks, loose gestures, and foul talk,
But most by lewd, and lavish act of sin,
Lets in defilement on the inward parts,
The soul grows clotted by contagion,
Embodies and embrates, till she quite lose
The divine property of her first being.

MILT. COMUS.

Nothing is more essentially necessary to the establishment of manners in a state, than that all persons employed in stations of power and trust be men of exemplary characters.

‘ Let

‘ Let *Valerian* [afterwards emperor] be censor,’ said the *Roman* senators, ‘ who has no faults of his own ^a.’

The *Roman* censors had authority over all persons, except only the governor of *Rome*, the consuls in office, the *rex sacrorum*, and the superior of the vestal virgins. This office, so useful in the republican times, was neglected under almost all the emperors ^b.

The *Roman* censors used to strike out of the list those senators, who seemed to them not to support, with proper dignity, their illustrious station. We find sixty-four thus disgraced, in the times of *Sylla*, when it may be supposed the manners were greatly degenerated.

It is to be doubted that those old-fashioned heathen censors would, if they were employed among us, take umbrage at our christian foibles of adultery, gambling, cheating, rooking, bribing, blasphemy, sodomy, and the other frolics which so elegantly amuse our senatorial men and women of pleasure.

The *Romans* to the last shewed their opinion of the usefulness of the office of censors. We find it, after a long interruption by the civil wars, restored, and sixty-four senators immediately struck out of the list ^c.

Scipio was not chaste from stupidity; for it is recorded of him, that he was a great admirer of beauty.

Socrates acknowledged, that he was naturally inclinable to sensuality, but that he had, by philosophy, corrected the bent of his nature.

The public cannot be too curious concerning the characters of public men; so common is it for them to change upon preferment, according to the old adage, *honores mutant mores*.

Sylla,

^a ANT. UNIV. HIST. xv. 416.

^b Ibid.

^c Ibid. xii. 151.

Sylla, who, in his youth, was of so tender a heart, as to weep for very slight occasions, became one of the most cruel of men; ordered *Granius* to be strangled in his presence, as he lay a dying^a, and deluged *Rome* with the blood of her citizens.

Nero, when he was to sign a dead-warrant, in his earlier years, often wept, and wished he had never learned to write. Yet the very name of that prince afterwards became the proverb for cruelty.

That state is going to ruin, said *Antisthenes*, in which the honours due to merit, are bestowed on the artful and designing, or on the tools of power.

The *Athenian* archons, before they entered upon their office, were obliged to swear, that if ever they were convicted of bribery, they would send to *Delphi*, as a fine, a statue of gold of their own size^b.

The antient *Spartans* chose their ephori out of any rank indifferently; which policy *Aristotle* prefers to that of the *Cretans*, who elected their cosmi only from certain particular orders.

Aristotle says, that in 400 years there was neither sedition, nor tyranny, in *Carthage*; a proof of a good constitution, good administration, and virtuous manners.

Aristotle commends the *Carthaginian* wisdom, for that they chose their men of authority rather according to their personal characters, than according to family. 'Men of great power, and of no character, are very hurtful, and actually have very much prejudiced the *Spartan* republic.' Καὶ βέλτιον δὲ τὰς βασιλεις, κ. τ. λ.^c And afterwards in the same chapter, he blames their policy in confining authority only to the rich.

^a ANT. UNIV. HIST. XIII. 96.

^b Ub. Emm. DE REP. ATHEN. I. 27.

^c ARIST. POL. II. II.

rich. For that this naturally leads the people to the admiration and pursuit of riches, rather than the study of virtue. Whilst it is impossible that a state should be secure, where virtue is not supremely honoured.

Παρακταίνει δὲ, κ. τ. λ.

The manners of the upper ranks will descend to the lowest. When *M. Antonius*, grandfather of the triumvir of the same name, was accused, his slave bore the torture with heroic fortitude ^a.

It was to keep up a sense of national honour, that there was a law made, forbidding a *Roman* citizen to be scourged ^b.

Ad illa mihi pro se quisque, &c.

Let every reader of history (says *Liv. Proæm.*) apply his mind to observe the manners and characters of our ancestors; by what sort of men, and by what arts of peace and war, the commonwealth was raised; and let him attend to the causes of its decline, viz. the neglect of discipline, and degeneracy of manners; and let him observe how this degeneracy has increased in an accelerated proportion, till we are now fallen into such a condition, that we can neither bear our vices, nor the reformation of them.

When the first triumviri, *Cæsar*, *Pompey*, and *Crassus*, were laying the foundation for the ruin of *Roman* liberty, and had so debauched the people (a people cannot be enslaved while they continue honest), that candidates, instead of depending on their services and merits, openly bought votes; and afterwards, improving upon corruption, instead of purchasing single votes, went directly to the triumviri, and paid down the ready money; when all was thus going headlong to ruin, *Cato* attempted to put some check to the torrent of wickedness.

^a ANT. UNIV. HIST. XII. 453.

^b Ibid. XII. 342.

wickedness. What was the consequence? He only got himself the ill-will of both rich and poor. All love of country was then lost in a general scramble for the spoils of their country^a.

The resemblance between the disposition of the *Roman* people of those degenerate days, and that of a certain country in our times, is striking enough to freeze the blood in the veins of every friend to that country.

The *Romans* seem to have lost their national character from the time of the fall of their rival *Carthage*. Time was, when hardly a *Roman* could have been found capable of the villanous proceedings of *Cæpio*^b.

And it was not till the *Roman* virtue was degenerated, that the republic was capable of basely violating a solemn treaty with the *Numantians*, though that unhappy people had actually complied with the conditions.

As if the superior powers had intended a lesson for all mankind, not to trifle with solemn treaties, the *Romans* are defeated by the *Numantians* (even the women lending their assistance, and attacking the *Romans* with unusual valour), though their army was 30,000 against only 4000. Of the *Romans*, 20,000 were cut in pieces in the pursuit, their courage failing them, as through sense of the guilt of an unjust and cruel war. The *Numantians* would not afterwards treat with the *Roman* general; so infamous was the character of those who formerly reproached the *Carthaginians* with their national treachery, at last they agreed to treat with *Tib. Gracchus*, whose reputation for probity was eminent. The wicked senate, as if determined still farther to make good the suspicions, which the *Numan-*
tians

^a ANT. UNIV. HIST. XIII. 170. ^b Ibid. XII. 392.

tians had of them, again violates the new treaty with the *Numantians*, though that people (called by the destroyers of mankind, barbarous) had generously spared 10,000 *Romans*, whom they had in their power. The *Romans*, who boasted their justice and clemency in war, were not to be satisfied but with the destruction of those who had saved them. Nor did their sufferings for their treachery end here. *Tib. Gracchus*, who had made the treaty with the *Numantians*, being offended at the disgrace brought on him by the senate's basely violating it, begun that fatal sedition, distinguished by the name of the *Gracchi*, which drew after it the most destructive consequences^a.

The *Romans* at the time of *Sylla's* voluntary resignation, had it in their power to recover their liberties. But corruption was even then too far gone^b.

My much esteemed friend and relation Dr. *Robertson* thinks, the *Roman* empire must have sunk, though the *Goths* had never invaded it, because the *Roman* virtue was sunk^c. They were so debauched, that among the northern nations it was usual to call a person of a flagitious character, a *Roman*, as among us, a *Jew*. The destruction of eternal *Rome* was completed in less than two centuries from the first irruption of the barbarians^d. *Rome* destroyed by *Goths* and *Vandals*, resembled a lion devoured by vermin.

The degeneracy of the *Roman* senate appeared shockingly conspicuous on occasion of the prosecution of *Jugurtha*. When that bloody tyrant, the murderer of his benefactors two sons, came to *Rome* to answer for his innumerable crimes, after having for several years neglected

^a ANT. UNIV. HIST. XII. 392. et seq.

^b Plut. IN SYLL.

^c HIST. CH. V. l. 3.

^d Ibid. 7.

neglected the summons, and carried on war against the *Roman* generals; he frees himself from the deserved censure, by bribing one of the ten tribunes; who accordingly in open senate stops the examination of the king, when questioned by the others concerning certain senators, whom he had corrupted^a.

Jugurtha returning home after an acquittance obtained by money, cries out, 'O city ready for sale, if a buyer rich enough can be found^b!'

Corruption ruins the whole proceedings of a state, both in peace and war.

Jugurtha, notwithstanding his atrocious villanies, continued unpunished, and baffled the vengeance of the mighty *Roman* commonwealth for several years, because corruption protected him. He had bribed the senate, and the commanders who went against him. But whenever the war was put into the hands of *Metellus* and *Marius*, men of honour, he was presently crushed.

Οὐδεν γὰρ θελος της πολεως, κ. τ. λ. It is a great evil in a state, when there is not power to curb offenders^c.

The *Roman* senate, whose decrees formerly shook three quarters of the world, sneak to *Pompey*, all but *Hortensius* and *Catulus*^d.

The *Roman* people, lost to the true republican spirit, confer on *Pompey* voluntarily more power than *Sylla* obtained by force of arms.

When inconsiderable merits obtain high rewards, it is to be presumed, that real merit is scarce in that country, and contrarywise.

Calpurnius

^a See *Sallust*. *BELL. JUGURTH.*

^b *Ibid.*

^c *Anon.* ap. *Ub. Emm.* *DE REP. ATHEN.* I. 125.

^d *ANT. HIST.* XIII. 131.

Calpurnius Flamma, for saving the whole *Roman* army at the *Furcæ Caudinæ*, was rewarded with the elegant ornament of a wisp of hay put round his head.

Aul. Posthumius misbehaved; or was unfortunate in one battle; gained a victory in another. The stern *Roman* people did not however allow, that the success should expiate for the miscarriage. He could not obtain the honour of a triumph; but was obliged to content himself with an ovation^a.

Horatius Cocles was rewarded with a contribution of victuals and a bit of land^b.

The *Greeks* would not have the names of their commanders mentioned on occasion of victories; but ascribed them to the army in general. We find *Demosthenes* afterwards blaming the honours shewn to the generals, by ascribing such and such victories to such and such commanders. At length they became so exorbitant in conferring honours, that *Demetrius Phalerius* had 300 statues in *Athens*.

Mr. *Hume* observes, that the *Romans* were very vicious in the times of the *Punic* wars, when the commonwealth was most flourishing^c. But they were not corrupt or dishonest to their country, or luxurious or extravagant. These are the manners which chiefly tend to bring ruin upon states. These are political vices. And yet every able statesman will guard against the prevalency of other vices, as well as these. For there is a connexion between vices, as well as between virtues, and one opens a door for the entrance of the other.

If *Cæsar* and *Pompey* (says the author of *GRAND. ET DECAD. DES ROM.* p. 229.) had been very *Catoes*, there
VOL. III. C would

^a ANT. UNIV. HIST. XI. 380.

^b Ibid. XI. 370.

^c POL. ESS. IV. 39.

would have been other *Cæsars* and other *Pompeys*, and the republic, destined to ruin, [through corruption] would have been dragged to the precipice by other hands.

A remain of virtue among the *Romans* in *Catiline's* time, kept the state afloat, in spite of his traitorous attempts to sink it. That being at the time of *Cæsar's* attack extinct, he was enabled to finish what his predecessor attempted in vain. *Catiline* was defeated and killed. His design is branded with the infamous name of a conspiracy. *Cæsar* conquered his opposers, and for a short time triumphed over liberty. His attempt is called a civil war; and himself reckoned among the heroes.

Cicero accuses *Catiline* to his face in the open senate; but dares not exert the consular power to apprehend or punish him, though in the senate-house he threatened destruction to the senate^a.

A state must be weak, or its government incapable, when one desperado is too mighty for the laws.

Cæsar advances all his partisans to posts and honours^b. With what view? Manifestly with the same which moves our court to give places to members of the house of commons, viz. to bias them from the interest of their country, and bribe them to do their dirty work. When *Brutus* had executed the law on the destroyer of his country's freedom, he scorned to harangue the people, in order to reconcile them to the measure. Much less could he have brought himself to bribe them, even to allure them to their interest.

Pompey barefacedly gets himself proposed for dictator, at a time when there was no use of a dictator. That
is,

^a *Sal. BELL. CATIL.*

^b *ANT. UNIV. HIST. XIII. 225.*

is, he plainly told his countrymen, he should be much obliged to them, if they would give him leave to do with them whatever he pleased. For a dictator's power was absolute. *Cato*, however, had influence enough to retard *Pompey's* scheme ^a, and to get him made sole consul, the first of the kind, which likewise was a gross violation of the constitution ^b. A standing army is appointed him, and his government in *Spain* continued. The *Romans* seem to have been at this time weary of liberty and happiness.

It is a prognostic of the downfall of a state, when salutary regulations are unnecessarily broke through.

Marius was chosen consul four times successively, notwithstanding the law forbidding any man's being twice consul in less than ten years ^c.

When *Marius* treacherously endeavoured to ensnare the brave *Metellus*, the latter shewed a firmness worthy of universal imitation. 'To do a base action, says he, is, under all circumstances, shameful. To do well, when no danger is nigh, is common. But to do well in spite of danger, is the part of a brave man ^d.'

Sylla was created, through fear, perpetual dictator. *Rome* was ripe for slavery, before *Julius* wreathed her chains. All the intestine confusions in *Rome* were owing to a constitution originally ill-balanced. A statue was erected to the conqueror of his country in the very forum which he had so lately drenched with the noblest blood of *Rome*. He himself publicly expresses his contempt for the slavish disposition shewn in his own favour, by the degenerate sons of the brave *Romans*. They even pay distinguished honours to his memory, after his death. Yet it is certain, that *Tarquin*, whom their ancestors expelled,

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expelled,

^a ANT. UNIV. HIST. XIII. 171.

^b Ibid. 173.

^c Ibid. 9.

^d Ibid. 24.

expelled, and for his sake rejected regal government, was not so bloody a tyrant as *Sylla*.

When the efficiency of government goes from where the constitution placed it, into hands which have no right to it, that state is far gone toward ruin.

The *Roman* consuls became at last slaves to the triumviri, *Cæsar*, *Pompey*, and *Crassus*^a.

When the houses of parliament are seen to be the tools of the ministry, the liberties of *Britain* are near their end.

Cæsar bribes all *Rome* against *Pompey*, say the ancient universal historians^b. Then all *Rome* must have been corrupt. For *Pompey* was certainly the better man of the two.

With the power which *Julius* had, he might have reformed, instead of enslaving, his country. That it was not by the wisest men thought impracticable, appears from *Brutus's* and *Cicero's* endeavours for that purpose, from *Augustus's* proposing (however insincerely) to restore the republican government, and even from *Tiberius's* affected design of quitting the throne. Therefore the apology for *Augustus's* continuing *Julius's* tyranny, viz. That *Rome* was become unfit for republican government, is false and slavish^c.

Here a distinction is to be made between a people incapable of free government, and a people among whom the spirit of liberty is got to so low an ebb, that they have not the courage to seize it, when put within their reach, or to resist the attempts of those who would deprive them of it. Any people are capable of enjoying liberty, when procured for them. The *Romans*, if *Augustus* had restored the republican government, would have

^a ANT. UNIV. HIST. XIII. 154.

^b Ibid. 174.

^c Gard. DISC. ON TACIT. I. 68.

have been free; and there is no doubt, but he had it in his power to restore it, and probably to keep it up, during his life (as *Epaminondas* made his stupid countrymen the *Bæotians* great in spite of themselves during his life), and he is inexcusable for neglecting the opportunity, and instead of pursuing the glorious views of *Brutus*, rivetting the chain which *Julius* had fastened but slightly; and flattering the senators, that he underwent so many labours and perils only to restore peace to the *Romans*. Those abject slaves decree him honours for dashing out of their hands their liberties, when within their grasp^a.

The *Romans*, it is true, at the time of *Cæsar's* execution, were ripe for slavery. None to seize liberty, when put in their hands. 'They were no longer that nation of heroes, to whom liberty was dearer than life. They were become effeminate, debauched, and accustomed to live by the price of their votes, which they sold to the best bidder^b.' Time was, and continued for many ages, when it would have been no disputable point, whether a tyrant was to be extirpated or not, as it was on this occasion^c. There was indeed no room for disputing the point. From the time of the expulsion of the *Tarquins*, by the *Roman* constitution, it was unlawful for any person to assume singular power. *Julius*, therefore, who did this, was legally executed by *Brutus*, excepting that he had no regular trial.

It may, therefore, be said of a people, that they are at the same time capable and incapable of liberty. The *French*, for instance, are incapable of liberty, inasmuch as they cannot find a set of men capable of

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oversetting

^a ANT. UNIV. HIST. XIII. 462.

^b Ibid. 283, 4, 5.

^c Ibid. 286. the various opinions of the senators, concerning the destroyers of *Cæsar*.

oversetting the tyranny under which they groan, and of restoring and establishing, instead of it, a free government, which shall keep itself up for ages, in spite of any attempts to overthrow it, and to restore the present system of despotism. At the same time there is no doubt, but the *French* are so far capable of liberty, that if the necessary deliverers and defenders could be found, they would be actually delivered, and would be actually free. But to return;

Atrocious crimes unpunished, as well as inconsiderable merits over-rewarded, and honest men persecuted, are bad symptoms in a state.

Murders became, in the times of *Sylla* and *Marius*, common, and often escaped unpunished, as of *Aul. Sempronius*, *Pomponius Rufus*, &c.

A decline of manners threatens a decline of empire ^a.

When *Rome* became to such a degree corrupt, that the rapacious publicans in *Asia* had interest enough to get *Rutilius Rufus*, their enemy, banished, that brave detector of villany betook himself to *Greece*, and lived among the philosophers. After some time, the *Romans* were desirous of recalling him. But he refused to return to a place, where knaves had got such an ascendancy as to be able to bring punishment upon honest men ^b.

‘ The once illustrious *Roman* senate became, under
 ‘ the emperors, an assembly of mean-spirited wretches,
 ‘ entirely devoted to corruption and servitude. For
 ‘ this execution [of *Octavia*, the innocent wife of *Nero*]
 ‘ as for some notable deliverance, they pompously
 ‘ decreed gifts and oblations to the gods. Such was
 ‘ the debasement of the once great and venerable *Roman*
 ‘ *senate*. Fear had stopped their mouths, or
 ‘ opened them only to the most scandalous strains of
 ‘ flattery,

^a ANT. UNIV. HIST. XIII. 42, et pass.

^b Ibid. 33.

‘ flattery. Our historian observes here to their eternal
‘ infamy, that as often as any cruel sentence was pro-
‘ nounced by the prince, as often as murders or ba-
‘ nishments were by him commanded, so often were
‘ acknowledgments and thanksgivings, by the autho-
‘ rity of the senate, paid to the deities ^a.’

‘ *Dio Cassius* describes at large an entertainment, to
‘ which the emperor [*Domitian*] invited the principal men
‘ among the senators and knights. An entertainment,
‘ says that writer, which more than any thing else, dis-
‘ plays his tyrannical temper, and how wantonly he
‘ abused his power. At the entrance of the palace the
‘ guests were received with great ceremony, and con-
‘ ducted to a spacious hall hung round with black, and
‘ illuminated with a few melancholy lamps, which were
‘ only sufficient to discover the horror of the place, and
‘ the several coffins, upon which were written in capi-
‘ tals the names of the several senators and knights in-
‘ vited. Great was their fright and consternation at the
‘ sight of so dismal a scene; for the emperor had often
‘ publicly declared that he could not think himself safe
‘ so long as one senator was left alive, and that amongst
‘ the knights there were few, whom he did not look
‘ upon as his enemies. After they had long waited
‘ expecting every moment their last doom, the doors
‘ were at length all on a sudden burst open, when a
‘ great number of naked persons, having their bodies
‘ all over dyed black, entered the hall, with drawn
‘ swords in one hand, and flaming torches in the other.
‘ The guests, at this dreadful appearance, giving them-
‘ selves up for lost, already felt all the agonies of death.
‘ But those whom they looked upon as their execu-
‘ tioners, having for some time danced round them,

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‘ at

^a ANT. UNIV. HIST. XIV. 407.

at once set open the doors, and acquainted them that
 the emperor gave the company leave to withdraw.
 Thus did *Domitian* insult these two illustrious orders,
 shewing, says *Dio Cassius*, how little he feared them,
 and at the same time, with how much reason they
 might dread his resentment, since it was in his power
 to cut them all off without exposing himself to the
 least danger ^a.

A slavish submission to the commands even of the
 lawful prince, is a mark of a decline of the spirit of
 liberty.

One of *Solyman Shah's* generals voluntarily offered
 to kill himself, to divert the prince and his court ^b.
 Twenty officers, commanded by *Hasan khan* to kill
 themselves, to shew the sultan's ambassadors their sub-
 mission, immediately obey ^c.

How was the *Roman* spirit sunk when *Tiberius* wrote
 to the senate, desiring the tribunitial power for *Drusus*;
 which the fathers granted with the more refined flat-
 tery, as they had foreseen this request. Statues were
 decreed both to *Tiberius* and *Drusus*; altars were
 erected to the gods; arches raised, &c. *M. Silanus*
 moved, that for the future not the names of the con-
 suls, but of those who exercised the tribunitial power,
 should be prefixed to all public and private records.
Haterius Agrippa, that the decrees of that day should
 be written in letters of gold, and hung up in the se-
 nate. Thus the lords of the *Roman* senate, who once
 headed mighty armies, raised and deposed great kings,
 bestowed or took away empires, were by degrees
 changed into mean slaves, and become, by their infam-
 ous behaviour, an object of derision and contempt ^d to

^a ANT. UNIV. HIST. xv. 69.

^b MOD. UNIV. HIST. VI. 17.

^c Ibid, III. 277.

‘ to all foreign nations ; nay, to that very tyrant whose
 ‘ favour they strove to gain by disgracing themselves.
 ‘ *Drusus*, who was then in *Campania* probably with his
 ‘ father, wrote to the senate, returning them thanks for
 ‘ the tribunitial power with which they had invested
 ‘ him; but did not condescend to come to *Rome*, as was
 ‘ expected, to receive it ^a.’

‘ *Non est nostrum æstimare, &c.* it does not become
 ‘ us to judge of the persons you are pleased to ad-
 ‘ vance, nor of the reasons for your advancing them.
 ‘ The gods have given you sovereign power ; to us
 ‘ remains the glory of obedience.’ The scoundrel
 speech of *M. Terentius* to *Tiberius*, acknowledging his
 connexion with *Sejanus*, the most odious minister of
 the most odious emperor ^b.

When *Libo Drusus*, in the reign of *Tiberius*, was
 unjustly tried upon the *lex majestatis*, and his estate to
 be divided among his accusers ; which, as *Amm. Mar-*
cellinus says, was sounding a trumpet to assemble the
 odious *dilatores* against the best men in *Rome* ; the de-
 generate senators strove which should most grossly flat-
 ter the cruel emperor, by declaring the deceased *Libo*
 (for he laid violent hands upon himself before his con-
 demnation) guilty of treason. The first lords of
 the senate were not above taking upon themselves
 the vile office of informers. The metropolis of the
 world often in those times saw her public dignities be-
 stowed as rewards upon those execrable parricides who
 had spilt her best blood. One senator made one mo-
 tion, and another made another proposal, all disgrace-
 ful to the unhappy deceased, but flattering to the
 tyrant. So miserable was the servility of the once ve-
 nerable

^a ANT. UNIV. HIST. XIV. 169.

^b Tacit. ANN. VII.

nerable *Roman* senate so early as the beginning of *Tiberius's* reign^a.

Valerian the *Roman* emperor, about the middle of the third century, was conquered by *Sapor* king of *Persia*, dragged chained through all the cities of that vast kingdom, and treated with greater indignity than the meanest slave. For that haughty conqueror made him his footstool when he mounted his horse. He flayed him (alive, some say), dressed his skin, dyed it red, hung it up, and shewed it to all strangers. And the wretched fallen *Romans* were obliged to bear all this unresented; which patience brought on them attacks from the barbarous nations^b.

At last the *Roman* empire was fairly put up to auction by the soldiery, and purchased by the highest bidder, *Didius Julianus*, who reigned two months and six days, hated, cursed, and stoned by the people, and at last put to death by order of the senate, and whose most remarkable action was causing a number of children to be murdered, that he might have their blood to use in his magic rites^c. And though other emperors might not so openly purchase the imperial diadem, it is certain that they generally made a present, on their accession to the soldiery, which was the *sine qua non* of their preferment.

The western or proper *Roman* empire, was annihilated by *Odoacer* the *Goth*, who takes the throne from *Augustulus*, and makes himself king of *Italy*, *A. D.* 476, 507 years after the battle of *Actium*, which terminated the *Roman* republican or free state, and begun the monarchy; after which fatal period, public virtue declined continually, and the vast dominion of the *Romans*

^a *Tacit.* ANNAL. II.

^b ANT. UNIV. HIST. XV. 425.

^c *Ibid.* 282.

mans was by degrees mutilated of *Britain*, *Spain*, *Africa*, and *Gaul*; the greatest state the world ever beheld, demolished by its own luxury and depravity, by the hand of a contemptible barbarian, a person so obscure, that his family, and the country he came from, are scarce known^a. From the foundation of *Rome* to *Odoacer's* conquest, was 1324 years.

How were the mighty fallen, when the emperor *Valentinian II.* sent an embassy to deprecate the wrath of *Attila* coming against him, and at the head of the embassy, the bishop of *Rome*^b. Poor *Roman* emperor!

——Quantum mutatus ab illo
Cæsare!

VIRG.

Afterwards the *Saracens*, the *Nubians*, the most contemptible nations, broke into the empire. Like the dying lion in the fable, she was exposed to all disgraces. ‘*Attila*, my master and yours,’ are the words of that barbarous monarch’s ambassador to the fallen *Roman* emperor^c. *Alaric*, the *Goth*, deposes the *Roman* emperor twice, and afterwards shews him publicly in the dress of a slave^d. The mighty *Rome*, the seat of liberty, the mistress of the world, ‘the nurse of
‘heroes, the delight of gods, which humbled the
‘proud tyrants of the earth, and set the nations free,’ was taken by *Alaric* the *Goth*, *A. D.* 410, and plundered for three days. What nation could have taken *Rome* in the days of the *Scipios* and the *Fabii*^e?

So lately as *A. D.* 1347, an attempt was made to restore liberty to the *Romans* by *Nicolas Gabrini de Rienzo*,

^a ANT. UNIV. HIST. XVI. 597.

^b Ibid. 569.

^c Ibid. XIX. 226.

^d Ibid. XVI. 513.

^e Ibid.

Rienzo, the son of a miller. He proposes to restore to the people their ancient republican government. Punishes with banishment and death some of the ancient nobility convicted of oppression. Invites all the citizens of *Italy* to liberty. Foreign princes seek his alliance. Pope *Clement* is glad to countenance him, and desires him to govern *Rome* in his name. Becomes quickly intoxicated with his authority, disdains to depend on the pope. Loses the people's favour. For in those times no people would be free, unless the pope gave them leave. *Rienzo* assumes swelling titles. Irritates several princes needlessly. The pope thunders out bulls against him. The bigotted people abandon him. He makes his escape, and sculks about long in the habit of a pilgrim. The people, unworthy of liberty, sink again into slavery^a.

Let us hear the excellent *Davenant* on this subject.

And now to recapitulate the reasons of this great people's ruin, first, their luxuries extinguished ancient honour, and in its room introduced irregular ambition; ambition brought on civil wars; civil war made single persons too considerable to remain afterwards in a private condition; so that the foundation of their destruction was laid in the century wherein *Cæsar* invaded their liberties: however, they might have continued a powerful and flourishing nation for many ages, if the succeeding princes had imitated either *Julius* or *Augustus*. But many of those that followed, assumed to themselves unlimited authority; and when bad emperors came, they pulled down what had been building up by the wisdom of all their predecessors. They seized upon that treasure which the frugality of preceding times had

^a MOD. UNIV. HIST. xxvi. 43.

‘ had set aside for urgent occasions. They accounted
‘ the public revenues to be their own particular pro-
‘ perty, and to be disposed of at their pleasure. Such
‘ as were lavish, squandered away among their minions
‘ and favourites, that which was to maintain the dig-
‘ nity of the state. When their profusion had reduced
‘ them to necessities, they fell to laying exorbitant
‘ taxes, and to pillage the remote provinces: when
‘ these provinces were harassed and exhausted by con-
‘ tinual payments, they became weak and unable to
‘ resist foreign invasions. In these naked and defence-
‘ less provinces the barbarians nestled themselves, and
‘ when they were grown strong and powerful, from
‘ thence they made irruptions into *Italy*, till at last
‘ they came to invade and conquer *Rome* itself, the
‘ very head and seat of the empire. From this brief
‘ account of the *Roman* affairs, perhaps it will appear,
‘ that to let ministers waste the public revenues, or
‘ to suffer any negligence and profusion of the like
‘ nature, is of dangerous consequence both to the
‘ prince and people^a.’

God forbid that ever any future political writer should have occasion to describe and account for the decline and fall of the *British* empire, as *Davenant* has that of the *Roman*.

‘ It is of great consequence to a kingdom, that reli-
‘ gion and morals be considered as worthy the atten-
‘ tion of persons of high rank. There is no doubt,
‘ whatever might be pretended, these troubles [in
‘ France during the minority of Lewis XIV.] which
‘ were fatal to the lives of many, to the fortunes of
‘ more, and to the liberties of the whole nation, sprung
‘ from the coquetries of half a dozen great ladies, who
‘ with

^a *Daven.* III. 56.

‘ with light heads, and bad hearts, sacrificed every
‘ thing to their pleasures, according to the nature of
‘ the sex, who having forfeited one virtue, seldom re-
‘ spect any other^a.’

The welfare of all countries in the world depends upon the morals of their people. For though a nation may get riches by trade, thrift, industry, and from the benefit of its soil and situation; and though a people may attain to great wealth and power either by force of arms, or by the sagacity of their councils; yet when their manners are depraved, they will decline insensibly, and at last come to utter destruction. When a country is grown vicious, industry decays, the people become effeminate and unfit for labour. To maintain luxury, the great ones must oppress the meanest; and to avoid this oppression, the meaner sort are often compelled to seditious tumults or open rebellion. Such, therefore, who have modelled governments for any duration, have endeavoured to propose methods by which the riotous appetites, the lusts, avarice, revenge, ambition, and other disorderly passions of the people might be bounded^b.

To the sobriety, and temperate way of living, practised by the Dissenters retired to *America*, we may justly attribute the increase they have made there of inhabitants, which is beyond the usual proportion to be seen any where else. The supplies from hence do by no means answer their present numbers. It must then follow, that their thrift and regular manner of living incline them more, and make them more healthful for generation, and afford them better means of having the necessaries to sustain life, as wholesome food, and cleanly dwelling

^a MOD. UNIV. HIST. xxv. 41.

^b Daven. II. 41.

dwelling and apparel ; the want of which, in other countries, is a high article in the burials of the common people.

Where riot and luxuries are not discountenanced, the inferior rank of men become presently infected, and grow lazy, effeminate, impatient of labour, and expensive, and, consequently, cannot thrive by trade and tillage ; so that when we contemplate the great increase and improvements, which have been made in *New England, Carolina, and Pennsylvania*, we cannot but think it injustice not to say, that a large share of this general good to these parts is owing to the education of their planters ; which, if not entirely virtuous, has a show of virtue ; and, if this were only an appearance, it is yet better for a people that are to subsist in a new country by traffic and industry, than the open profession and practice of lewdness, which is always attended with national decay and poverty^a.

Burnet is excellent, in the conclusion to his history of his own times, on the moral character of the people. He observes^b, that those of the commonalty of *England*, who attend the church, are grossly ignorant in matters of religion ; the Dissenters more knowing ; which is not owing to want of capacity, but of teaching. To cure this evil, the Bishop, very judiciously, advises the clergy to use two courses, *viz.* catechising, that is, explaining to young people, in a familiar manner, the first principles of religion, and of morality ; and preaching in the same manner on the same subjects ; applying their discourses to the characters of their audience, setting before them the evil nature and consequences of the vices they know them to be particularly addicted to.

^a *Daven.* 11. 33.

^b *Burn.* p. 428.

He gives a sad account of the gentry of his times ; which, it is to be hoped, would be too severe, if applied to those of the present age. ‘ They are, says he, for the most part the worst instructed, and the least knowing of any of their rank I ever went among. The *Scotch*, though less able to bear the expence of a learned education, are much more knowing.—A gentleman here is often both ill-taught, and ill-bred. This makes him haughty and insolent. The gentry are not early acquainted with the principles of religion. So that after they have forgot their catechism, they acquire no more new knowledge, but what they learn in plays and romances. They grow soon to find it a modish thing that looks like wit and spirit, to laugh at religion and virtue, and so they become crude and unpolished infidels.—In the universities, instead of being formed to love their country and its constitution, laws, and liberties, they are rather disposed to love arbitrary government, and to become slaves to absolute monarchy^a.’ He says, he has seen the nation three times in danger of ruin from men thus tainted, viz. 1. After the Restoration. 2. Under *James II.* And, 3. Under *Queen Anne’s* Tory ministry. If so, manners are of great consequence in a state ; which likewise farther appears from what follows :

That excellent Prelate thought liberty a thing very easily lost. ‘ I have seen, says he, the nation thrice on the brink of ruin, by men tainted with wrong principles. After the Restoration, all were running fast into slavery. Had *Charles II.* been, on his first return, attentive to those bad designs, which he pursued afterwards with more caution, slavery and absolute power might then have been settled into a law, with

^a *Burn.* p. 430.

‘ a reve-

‘ a revenue able to maintain them. He played away
‘ that game without thought ; and he had then honest
‘ ministers, who would not serve him in it. After all
‘ that he did, during the course of his reign, it was
‘ scarce credible, that the same temper should have re-
‘ turned in his time : yet he recovered it in the last four
‘ years of his reign ; and the gentry of *England* were as
‘ active and zealous to throw up all their liberties, as
‘ their ancestors had ever been to preserve them. This
‘ disposition continued above half a year in his bro-
‘ ther’s reign ; and he depended so much upon it, that
‘ he thought it could never go out of his hands. But
‘ he, or rather his priests, had the dexterity to play this
‘ game away likewise, and lose it a second time ; so
‘ that at the Revolution, all seemed to come again to
‘ their wits. But men who have no principles, cannot
‘ be steady. Now, *A. D.* 1708, the greater part of
‘ the capital gentry seem to return again to a love of ty-
‘ ranny, provided they may be the under-tyrants them-
‘ selves ; and they seem to be uneasy at the court, when
‘ it will not be as much a court as they will have it.
‘ This is a folly of so singular a nature, that it wants
‘ a name. It is natural for poor men, who have little
‘ to lose, and much to hope for, to become the instru-
‘ ments of slavery ; but it is an extravagance peculiar
‘ to our age, to see rich men in love with slavery and
‘ arbitrary power. The root of all this is, that our
‘ gentry are not betimes possessed of a true measure of
‘ solid knowledge and sound religion, with a love to
‘ their country, a hatred of tyranny, and zeal for li-
‘ berty.’ He then gives some directions for im-
‘ proving our gentry’s education.

VOL. III.

D

‘ Wherever

‘ Wherever the state has, by means, which do not
 ‘ preserve the virtue of the subject, effectually guarded
 ‘ its safety, remissness, and a neglect of the public, are
 ‘ likely to follow, and polished nations of every de-
 ‘ scription appear to encounter a danger on this quarter,
 ‘ proportioned to the degree in which they have, du-
 ‘ ring any continuance, enjoyed the uninterrupted pos-
 ‘ session of peace and prosperity ^a.’

Il y a des mauvais exemples, &c. ‘ Some bad ex-
 ‘ amples are more mischievous than crimes; and more
 ‘ states have perished because the people violated mo-
 ‘ rals, than because they broke the laws.’ A people’s
 being obliged to observe strictly the laws and constitu-
 tion of their country, is no sign of a failure of liberty.
 ‘ Observe the power which the *Roman* censors had in
 ‘ the freest times of that commonwealth, even to the
 ‘ most severe restriction of private luxury in furniture,
 ‘ tables, clothing, and every article of living, which
 ‘ yet produced no complaint from the people; and, on
 ‘ the contrary, observe the unbridled licentiousness of
 ‘ manners in the times of the most tyrannical of the
 ‘ emperors ^b.

Nations have often been deceived into slavery by
 men of shining abilities. Miserable is the spirit of a
 nation, that suffers itself to be enslaved by shining me-
 tal. The *Romans* under *Julius* were delicately en-
 snared, and grossly bribed. The *English* under *Wal-*
pole were clumsily bought. The hero, the orator, the
 gentleman in *Julius* captivated many, and concealed
 the tyrant and usurper. *Walpole* told his hirelings,
 ‘ I know your price; here it is.’ A nation deceived
 into ruin, is like a fond but artless virgin debauched by
 her

^a *Ferguson’s Hist. Civ. Soc.* 404.

^b *GRAND. ET DECAD. DES ROM.* 96.

her lover on promise of marriage. Our case is that of a worthless bold wench, who *sells* her maidenhead for a piece of money, or so much a year.

The collector of *Alm. DEB. COM.* writes very judiciously on this subject, as follows:

‘ The profligacy of the common people, at this
‘ time, [about *A. D.* 1751,] called for some legal re-
‘ straint; for not only every city and town, but al-
‘ most every village had assemblies of music, dancing,
‘ and gaming. This occasioned a prodigious dissipa-
‘ tion of the time, money, and morals of the lower
‘ people. Robberies were so frequent, that the enor-
‘ mity of the crime was almost effaced in the minds
‘ of the people; and nothing was more common than
‘ to advertise in the news-papers, an impunity to any
‘ person who could bring to a party that was robbed,
‘ the effects that had been taken from them, and that
‘ too with a reward according to the value. Those
‘ disorders were very justly ascribed, in a great measure,
‘ to the extravagance of the common people, and there-
‘ fore a bill was brought in for the better preventing
‘ thefts and robberies, and for regulating places of pub-
‘ lic entertainment, and punishing people keeping dis-
‘ orderly houses. The operation of this bill, when it
‘ passed the house of commons, was confined to *Lon-*
‘ *don* and *Westminster*, and twenty miles round; and
‘ all persons within that circuit were required to take
‘ out licences from the justices of the peace of the
‘ county, assembled at their quarter sessions, before
‘ they could open any room or place for public dancing,
‘ music, or any other entertainment of the like kind.
‘ Several other regulations regarding idle, disorderly, or
‘ suspected persons and houses, were inserted in the
‘ same act, and pecuniary as well as corporal penal-
‘ ties were affixed to the transgressors. When this

‘ bill went to the house of lords, they thought so well
‘ of it, that they extended the operation of it all over
‘ *England*. But as a tax was laid by it upon the sub-
‘ ject, when they returned the bill to the house of com-
‘ mons, their amendments were unanimously disagreed
‘ to, because they would not suffer the lords to alter
‘ any bill that was to affect the purse of the subject.
‘ They therefore desired a conference of the lords, and
‘ appointed a committee to draw up reasons against
‘ the amendments. The lords, on the other hand,
‘ having never formally given up their right to amend
‘ money bills, could not receive the true reason of the
‘ dissent of the commons, without giving up that
‘ right, or coming to an open breach with them.
‘ The commons therefore, to avoid so disagreeable an
‘ emergency, drew up reasons against the amendment,
‘ which had no regard or connection with the true rea-
‘ son of their disagreeing with them; and the lords ra-
‘ ther than so good a bill should be lost, agreed not to
‘ insist upon their amendments; and thus the bill
‘ passed, and received the royal assent^a.’

‘ Few crimes either private, or relating to the pub-
‘ lic, can be committed by those whose minds are early
‘ seasoned with the principle of loving and promoting
‘ the welfare of their native country. For, generally
‘ speaking, all our vices whatsoever turn to her pre-
‘ judice; and if we were convinced of this betimes,
‘ and if from our very youth we were seasoned with
‘ this notion, we should of course be virtuous, and
‘ our country would prosper and flourish in proportion
‘ to this amendment of our manners. Wherever pri-
‘ vate men can be brought to make all their actions
‘ and counsels thoughts, and designments, to center in
‘ the

^a *Alm. DEB. COM. V. 29.*

the common good, that nation will soon gather such strength as shall resist any home-bred mischief, or outward accident. No great thing was ever done, but by such as have preferred the love of their country to all other considerations; and wherever this public spirit reigns, and where this zeal for the common good governs in the minds of men, that state will flourish, and increase in riches and power, and wherever it declines, or is set at nought, weakness, disorder, and poverty must be expected. This love to their native soil, where it has been deeply rooted, and where it could be preserved, has made little cities famous and invincible, as *Sparta*, *Corinth*, *Thebes*, and *Athens*; and from thence all the *Roman* greatness took its rise. But where they are wretchedly contriving their own ends, without any care of their country's profit, or trafficking its wealth and liberties, for rewards, preferments, and titles; where every one is snatching all he can; and where there is a general neglect of national interest, they grow luxurious, proud, false, and effeminate; and a people so depraved, is commonly the prey of some neighbour seasoned with more wise and better principles. In a kingdom but too near us, we may see all sorts of men labouring for the public welfare, and every one as vigilant in his post, as if the success of the whole empire depended on his single care and diligence; so that, to the shame of another place, they seem more intent upon the prosperity and honour of their country, under a hard and oppressive tyranny, than the inhabitants of some free nations, where the people have an interest in the laws, and are a part of the constitution. *Homer* in his two poems seems to intend but two morals. In the *ILIAD*, to set out how fatal discord among the great ones is to states and armies.

‘ And in his *ODYSSEY*, to show that the love of our
‘ own country ought to be stronger than any other
‘ passion; for he makes *Ulysses* quit the nymph *Calypso*
‘ with all her pleasure, and the immortality she had
‘ promised him, to return to *Ithaca*, a rocky and barren
‘ island. The affairs of a country relating either to
‘ civil government, war, the revenues, or trade, can
‘ never be well and prosperously conducted, unless the
‘ men of principal rank and figure divest themselves of
‘ their passions, self-interest, overweening opinion of
‘ their own merits, their flattery, false arts, mean am-
‘ bition, irregular appetites, and pursuits after wealth
‘ and greatness. No people did ever become famous
‘ and powerful, but by temperance, fortitude, justice,
‘ reverence to the laws, and piety to the country.
‘ And when any empire is destined to be undone, or
‘ to lose its freedom, the seeds of this ruin are to be
‘ first seen in the corruption of its manners. In vi-
‘ cious governments, all care of the public is laid aside,
‘ and every one is plundering for himself, as if the
‘ commonwealth were adrift, or had suffered ship-
‘ wreck; and where a people is thus depraved, their na-
‘ tional assemblies have the first open marks of the in-
‘ fection upon them, from whence spring all disorders
‘ in the state whatsoever. For then such as have most
‘ eloquence, valour, skill in business, and most interest
‘ in their country, throw off the mask of popularity,
‘ which they had put on for a time, and in the face of
‘ the world desire wealth, honours, and greatness, upon
‘ any terms; and this ambition leads them to corrupt
‘ others, that their own natural vices may be the less
‘ observed; so that in a constitution ripe for change,
‘ those who are best esteemed, and most trusted, begin
‘ to buy the people’s voice, and afterwards expose to
‘ sale their own suffrages; which practice is always
‘ attended

' attended with utter destruction, or the loss of liberty.
 ' This error in the first concoction does presently de-
 ' prave the whole mass; for then the dignities of the
 ' commonwealth are made the reward of fraud and
 ' vice, and not the recompence of merit. All is
 ' bought and sold, and the worst men who can af-
 ' ford to bid highest, are accepted; and where the ma-
 ' nagement is once got into such hands, factions are
 ' suffered to grow; rash counsels are embraced, and
 ' wholesome advices rejected; every one is busy for
 ' himself, and careless of the common interest;
 ' treachery is winked at, and private persons are al-
 ' lowed to become wealthy by the public spoils; all
 ' which is followed with the loss of reputation abroad,
 ' and poverty at home ^a.

Mr. Sydenham, in the debate, *A. D.* 1744, on the
 motion for annual parliaments, argues, that long par-
 liaments produce, and increase corruption of manners
 in the people. ' Sir, says he, the middling people in
 ' this country have always, till of late years, been re-
 ' markable for their bravery, generosity, and hospita-
 ' lity, and those of inferior rank for their honesty,
 ' frugality, and industry. These are the virtues which
 ' raised this nation to that height of glory, riches, and
 ' power it had once arrived at; but these virtues are every
 ' one of them in danger of being utterly extinguished
 ' by ministerial corruption at elections, and in par-
 ' liament. For proving this, I have no occasion to
 ' appeal to any thing but experience under the late ad-
 ' ministration, the decay of every one of these virtues,
 ' and the causes of that decay became so visible to
 ' every thinking man in the kingdom, that the whole
 ' nation, except the very tools of the minister, joined
 ' in putting an end to his power, and thank God, with
 ' the help of a very extraordinary conjuncture at court,

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' we

^a *Daven.* 11. 48.

we at last in some degree succeeded in our endeavours. For this reason I say I need not appeal to any thing but experience, for shewing what an effect public corruption has upon private as well as public virtue; but as it may be proved by reason, as well as experience, and as I think it necessary to take advantage of every argument that can be thought of for establishing the truth of this proposition, I shall beg leave to consider separately every one of the virtues I have mentioned, in order to shew from the reason of things how necessarily it must decay, in proportion as public corruption is introduced. And first with regard to courage or bravery. Though courage or resolution, Sir, depends in some measure upon the nature or constitution of the man, yet it may be very much increased or diminished by custom and education, and especially by public rewards bestowed upon, or refused to those who have shewn any remarkable degree of it in the service of their country. In former times, and when we had an honest and wise administration, the chief method by which our nobility and gentry could recommend themselves to the esteem of their country, or the favour of their sovereign, was by their courage, and military capacity; and the same consideration made them take notice of those that were in any station below them, which propagated a brave and military spirit among all ranks of men in the kingdom. In those days our ministers did not desire any man in parliament to vote as they directed. They desired no man to vote, but according to the dictates of his own conscience, and therefore they never thought of rewarding those who approved, much less of punishing those who disapproved, of their measures in parliament. At elections again, though a seat in parliament was always reckoned honourable

‘nourable, yet as it was in ancient times reckoned rather burdensome than profitable, there was never any violent competition at the election, and consequently the person chosen never thought himself much obliged to those who voted for him, nor did they so much as expect any favours from him upon that account alone. But no sooner did ministers begin to solicit the votes, instead of convincing the reason of the members of parliament, then they began to think themselves obliged to reward those who complied with their solicitations; and soon after this practice was introduced, a seat in parliament became profitable as well as honourable, which of course begot violent competition at elections; and this made voters begin to claim a merit with those in favour of whom they gave their vote at any election.

Hinc prima mali tabes.

VIRG.

‘From henceforth, Sir, the natural channel through which all public honours and preferments flowed, began to be disused, and betraying our country to the will of a minister in parliaments or at elections, began to be the only channel through which a man could expect any honours or preferment. When this began, or whether it has not met with some interruptions since it first began, I shall not determine; but this I will say, that it never became so apparent as it did under the late administration; and I wish we may not fatally feel the consequence of it in the war we are now engaged in. The natural courage of Englishmen is not by any discouragements to be absolutely extinguished; but I wish it may not have taken a wrong turn: I wish we may not find that the courage of our men is become rather an avaricious than an ambitious courage, and that men now seek to raise by their courage their private fortunes rather than
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‘their

‘ their own or their country’s glory; for if that be the
‘ case, we may make good pirates or maroders, but we
‘ shall never, while this spirit remains, make good sol-
‘ diers or seamen; and no man, I believe, can expect
‘ that we should be able to put a glorious end to the
‘ war either by piracy or maroding. Courage, Sir,
‘ like many other good qualities, becomes laudable only
‘ according to the use that is made of it, and the mo-
‘ tives upon which it is founded; for a man who ven-
‘ tures his life with no other view but that of raising
‘ his own private fortune, differs from a common high-
‘ wayman in nothing but this, that the one plunders
‘ according to law, the other against it. When I say
‘ this, Sir, I hope it will not be thought, that I intend
‘ to reflect upon any of those brave men who have
‘ ventured their lives in taking prizes from the enemies
‘ of their country: for as they thereby weaken the
‘ enemy, it is a public service as well as a private ad-
‘ vantage; and when the first of these motives is their
‘ chief inducement, which I hope it always is with re-
‘ gard to the officers at least, they deserve the esteem and
‘ applause of their country. From such gentlemen we
‘ may expect an equal behaviour, where nothing but
‘ blows and triumphs are to be got from the enemy;
‘ but this is not to be expected from those who have
‘ nothing but the prize in view. This sort of courage,
‘ which proceeds from sordid avarice, I have mentioned,
‘ Sir, only to shew that we are not to suppose, that all
‘ the bold actions we read of in our journals, proceed
‘ from that true and generous spirit of courage by
‘ which our ancestors were actuated; nor are we to
‘ judge of the spirit of a people from what appears in
‘ their regular armies or navies, because a spirit of
‘ courage may for some time be preserved in the armies
‘ or navies of a country, after it has been industriously
‘ depressed

‘ depressed among all other ranks of men. The only
‘ way to judge in this case, is to consider the conduct
‘ and behaviour of the gentlemen of fortune in that
‘ country, the methods they take to recommend them-
‘ selves to the esteem of their country, and the qualifica-
‘ tions which recommend those of inferior rank to their
‘ favour; and from these considerations we must conclude,
‘ that the ancient spirit of the people of this nation is now
‘ almost entirely extinct. Do we now see any gentleman of
‘ fortune who is not of the army or navy, endeavouring
‘ to recommend himself by his courage or military
‘ knowledge? Do we now hear of the armies of foreign
‘ princes being encouraged by the example of a crowd
‘ of English volunteers? Do we now hear of any
‘ gentleman’s encouraging his tenants and servants to
‘ make themselves masters of military discipline, or
‘ conferring distinguishing favours upon those who have
‘ shewn great courage and resolution upon any occa-
‘ sion? Few such examples are to be met with in our
‘ present story; and the reason is plain: All public fa-
‘ vours are now bestowed upon voting, not fighting.
‘ If a man be qualified to vote, he has no occasion for
‘ any other qualification; and of late years, even in
‘ our army or navy, it has appeared to be the best qua-
‘ lification for entitling a man to preferment. We
‘ must therefore demolish this superstructure, which has
‘ been raised by corruption. We must render it im-
‘ possible for a minister to expect to gain a majority in
‘ parliament, or at election, either by bribery or by a
‘ proper dispensation of places and preferments. I say,
‘ we must do this, if we intend to restore that spirit of
‘ bravery by which our ancestors preserved their liber-
‘ ties, and gained so much glory to their country; and
‘ for this purpose nothing can, in my opinion, be so
‘ effectual as the restoration of annual parliaments.
‘ Then,

‘ Then, Sir, as to the generosity and hospitality of our
‘ nobility and gentry, every one knows, that by long
‘ parliaments and corrupt elections, they have been
‘ banished almost entirely out of the country; for I hope
‘ it will not be called generosity, to give a country
‘ fellow, by express bargain, five or ten guineas for his
‘ vote; and as little will it, I hope, be called hospitality
‘ to make a county or borough drunk once in seven
‘ years, by way of preparation for an ensuing election.
‘ In former times most of our noblemen and gentlemen
‘ lived at their country seats, where they often gene-
‘ rously relieved such of the poor in the neighbourhood
‘ as were in real distress; and they daily entertained
‘ their friends and neighbours at their houses, not with
‘ luxuries and extravagant feasts, but with a plentiful
‘ and hospitable table. By these methods they recom-
‘ mended themselves to the favour of their country, or
‘ of some neighbouring city or borough, and in return,
‘ if they desired it, they had sometimes the honour con-
‘ ferred upon them of representing it in parliament,
‘ which being but of short duration, it never induced
‘ them to think of altering their method of living, or of
‘ leaving their seat in the country. But since the in-
‘ troduction of septennial parliaments, and with them
‘ of course the practice of downright bribery at all
‘ elections, this method of living has been entirely
‘ altered, and no wonder it should be so; for suppose a
‘ gentleman to have lived in the most generous and
‘ hospitable manner in his country, or in the neigh-
‘ bourhood of his borough; suppose such a gentleman
‘ sets up for their representative, down comes a cour-
‘ tier with his pockets full of public money, and offers
‘ the electors, or such of them as will vote for him, seven
‘ guineas a man: by such an offer the country gentle-
‘ man’s friendship, his generosity, his hospitality, are
‘ all,

all at once effaced out of the memories of many of them, and he is thereby defeated of his election. Is it not natural for such a gentleman to resolve, not to put himself any more to the trouble and expence of being generous and hospitable? The favour of his countrymen he sees must be purchased, not won; therefore he resolves to contract his expence, in order to prepare the proper ammunition for the next election; and if he succeeds, being then assured of his seat in parliament for seven years, and sensible that being in the country can be of no service to him on any future election, he retires with his family to *London*, and resolves to depend upon bribery alone for his success in every future election. Thus, Sir, an end is put to the generosity and hospitality of that gentleman, and thus an end has already been put to the generosity and hospitality of most of the noblemen and gentlemen of the kingdom. But this is not the only evil, for this change of a country life into a town life, has introduced a new sort of expence, which is of the most pernicious consequence to the kingdom in general, and to the landed interest in particular. By the ancient country hospitality a great deal was, it is true, consumed, but the consumption was all our own: almost the whole, excepting a few spiceries, was the produce of our own farmers; whereas the expence attending a town life is mostly laid out on things of foreign importation, and most of them of such a nature as tend to deprive us of every good quality we have left among us. One modern polite supper in town, with a set of Italian musicians to entertain the company, will now cost as much as would formerly have hospitably entertained a whole country for a week; with this difference, that the expence of the latter centered chiefly in the pocket of the neighbouring

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ing farmers, whereas the expence of the former centers chiefly in the pocket of foreigners, and those foreigners, perhaps, who are our most dangerous enemies. When I consider this, Sir, I do not wonder at the heavy complaints we hear among the farmers in all parts of the kingdom, for want of a market for their goods, nor do I wonder at so many of them becoming bankrupt. A man of fortune who lives in *London*, may, in plays, operas, routs, assemblies, French cookery, French sauces, and French wines, spend as much yearly as he could do, were he to live in the most hospitable manner at his seat in the country; but will any one suppose, that there is as much malt, meat, bread, or poultry consumed in his family? Will any one suppose, that the poor, or even the farmers and tradesmen, in the neighbourhood of his country-seat consume as much, when they have nothing but what they take from their own table, as when they had his hall to feast in? What a diminution then in country consumptions must the retiring of one great family make? What a distress must be brought upon a country, especially if remote from *London*, when all its rich families repair to live constantly in this city? Sir, the fatal consequences brought upon our land estates by thus tempting our rich families to live constantly in *London*, are so glaring, that I shall wonder to see any landed gentleman in this house oppose the motion; and if any of them do, I shall be very apt to suppose they have some other income less honourable, though perhaps more punctual; for that annual parliaments would send most of our rich families to the country, and restore our ancient generosity and hospitality, is a question that can admit of no dispute; because no gentleman could then preserve his interest in his

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country,

country, city, or borough, but by going to live
amongst them; and if by neglecting to live there he
should be turned out of parliament, I believe the most
courtly dame could hardly prevail upon the most ux-
orious husband to live in *London*, after having nothing to
do there but to see her play at quadrille. I now come,
Sir, to those good qualities or virtues for which the
inferior rank of our people were very remarkable.
These, I said, were honesty, frugality, and industry.
As to every one of these, the manners of our people
have been very much altered by the introduction of
septennial parliaments, and the corruption and vio-
lent contestation at elections, which have thereby of
course been propagated through the whole king-
dom. With regard to the honesty of the people,
perhaps an instance may be here and there found of a
man who acts honestly in private life, and yet has
made it his practice to sell his vote to the best bidder.
But I will say, that such a man's honesty proceeds
more from the fear of the gallows than from any na-
tural disposition; and it is well known that few men
jump at once into the height of wickedness. They
generally begin with little venial sins, and move by
degrees to the most aggravating crimes. Do not
most of the wretches that suffer at Tyburn tell us,
that they began their wicked course with a breach of
the sabbath? This is none of the most heinous sort of
crimes; but the danger consists in the first encroach-
ment upon conscience; for being once got into a
wicked course they seldom stop at the threshold. In
the same manner a man who sells his vote at an elec-
tion, to a candidate who he thinks will sell his coun-
try in parliament, must be sensible he has committed
a crime: In so doing he certainly acts against his
conscience, and by this means his acting against his
conscience,

‘ conscience, becomes familiar to him, which prepares
‘ him for the committing of any crime he thinks he may
‘ be safe in, and then if he commits no crime in private
‘ life, it is not for want of will, but for want of oppor-
‘ tunity. He is honest, just as some women are chaste,
‘ only because they never had an opportunity of being
‘ otherwise. The only difference is, that he becomes
‘ wicked by custom, whereas they are so by nature.
‘ We should, therefore, in order to preserve the honesty
‘ of our people, prevent, as much as possible, a man’s
‘ being tempted to sell his vote at an election, and the
‘ best method for doing this will be to restore annual
‘ parliaments, because no candidate will then be at the
‘ expence of corrupting, especially as he cannot expect
‘ to be corrupted by a minister after he is chosen.
‘ Now, Sir, with regard to the frugality of the people,
‘ we know by experience, that what people get by sell-
‘ ing their votes at an election, is generally spent in
‘ extravagance; and being once led into an extravagant
‘ manner of living, few of them ever leave it, as long
‘ they have a penny to support it. By this means they
‘ are led into necessities, and having once broke in upon
‘ their conscience, by selling their vote at an election,
‘ they are the less proof against those temptations they
‘ are exposed to by their necessities; so that I am per-
‘ suaded, many a poor man in this kingdom has been
‘ brought to the gallows by the bribe he received for his
‘ vote at an election. Besides, as all the little places
‘ under the government have of late been bestowed
‘ upon pliable voters at elections, without requiring
‘ any one other quality to recommend them, such
‘ voters generally dissipate their own substance, in
‘ hopes of being afterwards provided for by some little
‘ place in government; and, by the example of such
‘ voters, many of their neighbours are led into the
‘ same

‘ same extravagant course of living, which, I believe,
‘ is one great cause of that luxury which now so gene-
‘ rally prevails among the lower sort of people. The
‘ same causes, Sir, that promote the people’s extrava-
‘ gance prevent their being industrious. Whilst a
‘ little country freeholder or tradesman is spending in
‘ extravagance his infamous earnings at an election, he
‘ disdains to think of honest industry or labour; and
‘ being once got out of the road of industry, many of
‘ them cannot find their way into it again. If such
‘ fellows are not provided by the court candidate who
‘ was chosen by their venality, with some little post in
‘ the government, which all expect, but few are so
‘ lucky as to meet with, they soon become bankrupts,
‘ are thrown into prison, and their families a burden
‘ upon the country which they have sold and betrayed.
‘ This is the fate of most of them; and as to those who
‘ happen to be provided for, their good luck is of the
‘ most pernicious consequence in the neighbourhood,
‘ because it encourages others to become venal, in
‘ hopes of meeting with the same good fortune; for
‘ in this case it is the same as in a lottery, people over-
‘ look the thousands that are unfortunate, and take no-
‘ tice only of the happy few that get the great prizes:
‘ If it were not for this unaccountable humour in man-
‘ kind, no man would be an adventurer in a lottery; no
‘ man, even in this corrupt age, would sell his vote at
‘ an election. But whilst this humour remains, which
‘ it will do as long as the race of man subsists, there
‘ will be adventurers, there will be sellers. There is
‘ no preventing it, but by demolishing the market;
‘ and this, I think, will be the effect of the bill now
‘ proposed to you, if it be passed into a law: it will de-
‘ molish the market of corruption, both in this house
‘ and at every election in the kingdom, for ministers

‘ will not then corrupt, because they can expect no
‘ success by corruption; and though little contests
‘ may now and then happen among country gentlemen,
‘ yet they will never be so violent as to occasion cor-
‘ ruption on either side of the question. On the con-
‘ trary, Sir, I believe very few contests will ever happen
‘ among the country gentlemen; for in every county,
‘ city, and borough in the kingdom, the chief families
‘ will come to a compromise amongst themselves, and
‘ agree to take the honour by turns, of representing it
‘ in parliament. No man will grudge his neighbour the
‘ honour for one year, when he knows he is to have the
‘ same honour the next year, or in a year or two after,
‘ especially when that honour is to be attended with no
‘ expectation of any post, place, or pension from the
‘ crown, unless he can recommend himself to it by some
‘ other qualification: whereas, when a gentleman is to
‘ be chosen into parliament for seven years, and when
‘ his being a member, without so much as the appear-
‘ ance of any other qualification, is known to be suffi-
‘ cient for recommending or rather enlisting him to some
‘ place of great profit under the crown, I do not wonder
‘ at his often meeting with a violent opposition. The
‘ length of the term makes any such compromise as I have
‘ mentioned impossible, which of course creates him an-
‘ tagonists among those who are only ambitious of the
‘ honour; and the expectation of advantage creates
‘ him antagonists, among those who are resolved to
‘ make their market. This generally begets a violent
‘ opposition; and if the antagonist be one of the better
‘ sort, he generally has recourse to bribery; for as he is
‘ resolved to sell, he makes no scruple to purchase, if
‘ he thinks he can purchase for less than he may sell.
‘ These, Sir, are the causes why we find such violent
‘ contests about elections to septennial parliaments;
‘ and

‘ and as all these causes would cease the moment we
‘ made our parliaments annual, I think it is next to a
‘ demonstration, that in elections for annual parlia-
‘ ments there could be no violent opposition, and much
‘ less any bribery or corruption. Therefore, if we have
‘ a mind restore the practice of these virtues, for which
‘ our ancestors were so conspicuous, and by which they
‘ handed down to us riches, glory, renown, and liberty,
‘ we must restore the custom of having parliaments not
‘ only annually held but annually chosen.’

Very excellent is the speech of Sir *J. Philips* in the house of commons, *A. D.* 1745, on this subject^a.

S I R,

‘ The opinion my honourable friend has of what we
‘ ought to do upon this occasion, and the addition he
‘ has proposed to be made to our address, viz. pro-
‘ mising the king, that the house would frame bills for
‘ checking abuses, and restraining corruption, are so
‘ agreeable to my way of thinking, that I cannot avoid
‘ standing up to second his motion, I shall readily con-
‘ cur with those gentlemen who think that we ought
‘ upon this occasion to express, in the warmest terms,
‘ our loyalty to our king, and our steady resolution to
‘ support him against all his enemies, both foreign and
‘ domestic; and I hope they will concur with me, and
‘ I believe many other gentlemen in this house, that we
‘ ought at the same time, and with the same energy, to
‘ express our fidelity to our country, and our steady reso-
‘ lution to support the liberties of the people against
‘ the fatal effects of corruption, which, in my opinion,
‘ are as much to be dreaded as any effects that can en-
‘ sue from the success of the present rebellion. From
‘ arbitrary power established in our present royal family,

E 2

‘ and

^a *Alm.* DEB. COM. II. 336.

‘ and supported by a corrupt parliament, and a mer-
‘ cenary standing army, I shall grant, Sir, we are in no
‘ immediate danger of popery ; but the certain conse-
‘ quence will be a general depravity of manners, and
‘ a total extinction of religion of every kind ; and then
‘ if chance, or any foreign view should make some
‘ future king even of our present royal family, turn
‘ papist, which is far from being impossible, how could
‘ we guard against the introduction and establishment
‘ of popery ? To a man who has no religion at all,
‘ it signifies nothing what sort of religion is established ;
‘ for he will always make that sort or sect his profes-
‘ sion, which he finds most suitable to his interest, con-
‘ sequently such a king would meet with no opposi-
‘ tion from the people ; and our laws against popery
‘ would be no bar to his intentions, because every one
‘ of them would at his desire be repealed by a corrupt
‘ parliament ; therefore the only sure and lasting fence
‘ we can have against popery is, the preservation of our
‘ constitution. Whilst the people continue to have any
‘ religion, and are generally sincere protestants, no king,
‘ should he turn papist himself, can have it in his power
‘ to introduce, much less establish popery amongst
‘ us, if the people be freely and fairly represented in
‘ parliament ; but a government that proposes to sup-
‘ port itself by corruption, must at the same time en-
‘ deavour to abolish all principles of honour and reli-
‘ gion ; for a man who has any principle of either,
‘ will never frame any selfish motive, give his vote in
‘ parliament, or at elections, against what he knows to
‘ be the true interest of his country. Such a govern-
‘ ment must necessarily conduct itself in direct opposi-
‘ tion to all the maxims of true policy. Merit of every
‘ kind will be disregarded, religion will be laughed at,
‘ and patriotism turned into ridicule. Libertinism will
‘ be

‘ be encouraged, avarice will be fed, and luxury will
‘ be propagated, in order to render the operation of
‘ corruption the more easy, and its effect the more cer-
‘ tain. And when the people are generally and tho-
‘ roughly corrupted, which, because of our frequent
‘ elections, they must be before the government can
‘ for its support depend upon corruption alone, the
‘ church of *Rome*, whose politicks we have more rea-
‘ son to dread than her power, will have a much more
‘ easy and certain game to play, than that of forcing
‘ the Pretender upon us. This, Sir, they can never do
‘ as long as we have any religion, virtue, or courage
‘ amongst us, and should they by an extraordinary
‘ mischance succeed, the Pretender and they together,
‘ would find it a very difficult task to convert a whole
‘ nation of religious and sincere protestants to popery:
‘ besides, they could not be sure of the Pretender’s not
‘ serving them as *Henry II. of France* served the pro-
‘ testants of that kingdom: after they had helped him
‘ to the throne, supposing him to be a man of sense
‘ and no bigot, he might very probably for his own
‘ ease and security, declare himself of the same religion
‘ with the majority of his subjects. But should we
‘ lose our liberties by corruption, and of course our
‘ religion and virtue, if the church of *Rome* could find
‘ means to convert our king then upon the throne, their
‘ business would be done. Our nobility having no
‘ religion, would in complaisance, or in order to re-
‘ commend themselves to their sovereign, declare
‘ themselves papists; and the majority of the people
‘ having as little religion as they, would follow their
‘ example. Surely, Sir, it will not be said to be impos-
‘ sible to suppose that any future king, even of our pre-
‘ sent royal family, can ever be converted to popery.
‘ How many kings have been persuaded to change their
‘ religion

‘ religion by a favourite wife or mistress? How many
‘ from political views? The crown of *Poland*, but of
‘ late years made one protestant prince declare himself
‘ papist, though all his then subjects were protestants
‘ too. The imperial crown of *Germany* we know is
‘ elective; and a view to that crown may induce some
‘ future king of *Great Britain* to declare himself papist;
‘ if he has a corrupt parliament, they will be ready at
‘ his desire, to repeal that law by which papists are ex-
‘ cluded from the crown and government of these
‘ realms. We have therefore no infallible security
‘ against popery, but the preservation of our constitu-
‘ tion, and for this reason, nothing can be more pro-
‘ per than to declare our resolution, that we will take
‘ care to frame such bills as are necessary for the pre-
‘ servation of our constitution against corruption, at
‘ the same time, that we declare our resolution to sup-
‘ port his majesty against a popish Pretender. This is
‘ not only proper, Sir, but necessary upon the present
‘ occasion, in order to convince the world that we are
‘ true protestants, as well as loyal subjects, and that
‘ therefore we are resolved to keep every door bolted,
‘ by which popery can make its way into this king-
‘ dom; and if we are resolved to frame and pass, in
‘ this session, any bills that may be effectual against
‘ corruption, I am sure no objection can be made against
‘ our declaring in our address that we will do so. I
‘ hope we are all now convinced that some such bills
‘ are necessary. The danger we are now exposed to,
‘ and the present unlucky circumstances of *Europe* must
‘ convince every man of the necessity of our having
‘ such bills passed into laws; for the danger our liber-
‘ ties are now exposed to, and the danger to which the
‘ liberties of *Europe* are now exposed, are both evi-
‘ dently owing to the measures of a late administra-
‘ tion.

‘ tion. Measures that could never have been approved
‘ of by a British parliament, if the eyes of some gentle-
‘ men’s understandings had not been blinded by the
‘ lucrative places they expected, or those they were
‘ afraid to lose. The fatal consequence of those mea-
‘ sures were then foretold, and are now so plainly seen,
‘ that those who approved of them, if they speak in-
‘ genuously, must confess their having been misled. I
‘ am far from saying, Sir, that any gentleman who had
‘ the honour to represent his country in parliament,
‘ voted against the dictates of his conscience; but it is
‘ a failing of human nature to judge weakly, in cases
‘ where our private interest is concerned, which we
‘ may be daily convinced of by many law-suits, that
‘ are obstinately carried on by men even of the best sense
‘ in the kingdom. We must therefore banish, as much
‘ as possible, all private interest from this house, other-
‘ wise we can never expect to have the questions that
‘ come before us impartially considered, or rightly de-
‘ termined. For this purpose, Sir, I hope every gen-
‘ tleman is now convinced, that some new bills are ne-
‘ cessary, and if we are resolved to frame any such in
‘ this session, why should we not say so in our address
‘ upon this occasion? I can suggest to myself no rea-
‘ son against it, and I am very sure it will give great
‘ satisfaction without doors. From hence, I must sup-
‘ pose that my honoured friends motion will meet
‘ with no opposition, and therefore I shall add no more,
‘ but conclude with heartily seconding it.’

A bill was brought in *A. D.* 1659, under the com-
monwealth, that no man should sit in the house
of commons, who was loose in his morals, or profane
in his behaviour.’

One would imagine, that, at all times, those who
have the weight of government upon their shoulders,

should be particularly anxious about the public favour, with a view to the cheerful obedience of the subjects. But in modern times (the present always excepted) courts, ministers, and parliaments seem to have given up the esteem of the people, as an object of no consequence; for every body knows, the esteem of the people can only be kept by keeping incorrupt characters. At the same time our governors (the present always excepted) affect to wonder at the disobedience of the people.

‘ In bad times, men of bad morals have ever been
 ‘ picked out, as the fittest instruments of enslaving
 ‘ others; and in free states the men of virtue have been
 ‘ the known preservers of the public liberty.’ ‘ Those
 ‘ who are guilty of fraud or oppression in their private
 ‘ capacity, are never to be depended on in a public ^b.’
 ‘ The Marquis of *Halifax* ^c says, great drinkers ought
 ‘ not to serve in parliament.’

When men have interest to get themselves chosen to places and employments, for which they are totally unfit, there is reason to fear the government, under which that happens, is corrupt.

Cæsar had interest to get himself chosen *pontifex maximus*. A hopeful archbishop! Strongly accused of the most shameful of vices, and notoriously guilty of every kind of injustice, rapine, and violence. *Pompey* used to call him the *Roman Ægyſthus*. And we know, that *Ægyſthus*, after debauching *Agamemnon*’s queen, procured him to be murdered ^d.

Abilities are undoubtedly of great consequence in a public character. But virtue is infinitely more important. An honest man of moderate abilities may fill a moderate

^a SERIOUS ADDRESS, &c. 10. ^b Ibid. ^c Ibid. 11.

^d ANT. UNIV. HIST. XII. 145.

moderate station with advantage. A knave confounds whatever he meddles with, and therefore cannot safely be employed. But in a corrupt state, that which should give a man the greatest consequence, I mean integrity, gives him the least. Both abilities and integrity are eclipsed by riches. For want of the proper abilities, the same person may be a good man, and a bad king, magistrate, or general. But it is a horrid reproach to a public man, to say, he has a bad private character; because his example will produce infinite mischief, and because the man who as an individual is wicked, is not likely to be good as a prince, a minister, a magistrate, &c. Employing in stations of power and trust men of notorious bad characters, is disgracing the age in which it was done; for it supposes a want of better men, and endangers the state.

The great and good *Sertorius* would not suffer *Mithridates* king of *Pontus* to re-conquer those parts of *Asia*, which, in virtue of his treaty with *Sylla*, he had been forced to give up to the Romans. *Sertorius* would have been a great gainer, by only conniving at this injury to his country, which he might have done in such a manner, as to avoid suspicion. But that brave Roman would not know himself to be false to his country, for any consideration whatever^a. The employers of worthless men are disgraced; and bad men advanced to high stations, are pilloried, that they may be the more effectually pelted.

“Men will never [if they be wise] trust the important concerns of society to one, who they know will do what is hurtful to society for his own pleasure:” A sentiment of Mr. Boswell’s, in his Account of *Corfica*, p. 302. N. B. Mr. Boswell, when he wrote that book,

^a *Plut.* in *Sertor.* Περὶ περὶ δὲ προσβείας ὁ Μιθριδάτης εἰς Ἰβηρίαν, κ. 7. λ.

book, was but just of age, and was employed in improving himself by study and travel, while many of his equals in years and fortune were in pursuit of debauchery.

Let no bad man be trusted. *Aurelian* gave up *Heraclammon*, who had betrayed his country to him, to be cut to pieces, saying, It was vain to expect fidelity in the man who had betrayed his own country^a. He gave the traitor's estate to his family, lest it should be alleged, that he ordered him to be made away with for the sake of his money.

It was enacted in the time of *Henry VI*, that no keepers of public stews in Southwark should be impannelled upon juries, because supposed to be unconscientious persons^b. I do not pretend to support the character of the persons who kept those famous houses of reception, which, by the bye, are said to have been under the government of the good bishops of Winchester; but thus far I will venture to say, that it would be a very difficult task for a worthy lord, or an illustrious patriot, who, for the sake of pleasure merely, keeps a wh— in open violation of the most solemn vows a man can make, and in direct defiance of damnation, to shew that he is more worthy of being impannelled on a jury, as being a more conscientious person than the poor keeper of a bawdy-house, who may be faithful to his own spouse, who never had taken a vow upon him at the altar never to keep a bawdy-house, and who keeps it merely for the sake of getting a livelihood.

See *King's* very judicious and learned ESSAY ON THE ENGLISH CONSTITUTION AND GOVERNMENT, printed for *White*, in which the author shews, by observations

^a ANT. UNIV. HIST. xv. 456.

^b PARL. HIST. II. 235.

servations on a number of states, ancient and modern, that freedom or slavery will prevail in a country according as the dispositions and manners of the inhabitants render them fit for one or the other. And to the same purpose, *Hurd's* DIALOGUES, *Hume*, *Montesquieu*, *Rollin*, &c.

CHAP. II.

Luxury hurtful to Manners, and dangerous to States.

THE wise ancients thought luxury more dangerous to states, than the attacks of foreign enemies.

——— *ſævior armis*

Luxuria incubuit.

LUCAN.

For that a brave people will find that in themselves, which will repel foreign force; whilst a people enervated by luxury are but a nation of women and children.

The hardy *Spartans*, a handful of men, but those true men, baffled the attacks of *Xerxes's* world in arms. The *Romans*, while they kept up their martial spirit and discipline, were too hard for all the nations around them, and conquered almost as often as they fought. Afterwards, being debauched by the Emperors, they fell an easy prey to the hardy *Goths*, *Alans*, *Hunns*, &c. The inconsiderable states of *Holland*, a handful of people living in a marsh, resisted for seventy years, and at last baffled the mighty *Spanish* monarchy, and forced them to give up all claim to superiority over the *Netherlands*; which was, in fact, conquering *Spain*, and stripping her of part of her former dominion. *Spain* was enervated by luxury, the effect of the introduction of gold from the mines of *South America*, whilst the
hardy

hardy *Dutch*, unexperienced in the enfeebling arts, fought for civil and religious liberty, with an obstinacy never to be tamed or tired out.

It may therefore be started by some readers, that however dangerous luxury may be, we have nothing to fear from that quarter; for that in the late war the *British* arms were universally victorious, beyond all past example. That therefore luxury can as yet have produced no material effect in this happy country, and cannot be counted among the abuses, of which those collections profess to be a survey, and an inquiry into the means for correcting.

But to set this matter in its true light, there are several particulars respecting the conduct of the late war, to be recollected, as, for instance, that the expence laid out by *Britain* in the late war, was beyond all example; which gives us a *claim* to extraordinary success; that we took upon *ourselves* the whole weight of the war, trusting nothing to *allies*; that, according to Lord *Chatham's* account of the matter^a, who himself conducted the war in its most glorious times, our success was chiefly owing to the hardy *Scots*, among whom it is certain, that luxury has yet made no considerable progress.

But besides all this, it is to be remembered, that there are other effects naturally to be expected from the prevalency of luxury in a country, altogether as dangerous as this, of its tendency to break the martial spirit of a people. Every man, in proportion to his degeneracy into luxury, becomes more and more obnoxious to bribery and corruption. He finds wants and desires before unknown; and these wants and desires being *artificial* merely, are without all *bounds* and *limits*. For the whole world is not enough for one fantastic voluptuary; while a very little satisfies nature.

Then

^a See his speech on the *American* stamp-act.

Then he becomes an easy prey to the bribing candidate at an election ; then he is ready to sell his soul to the enemy of mankind, and his country to the French king, in obedience to the order from the minister, who pays him the damning pension, and directs when he is to vote evil to be good, and darkness to be light.

Again, it is notorious, that luxury and expensive living, produce infinite peculation of the public money, and infidelity in those employed by the public.

It has been disputed, but, I think, with little force of argument on one side of the question, Whether the avaricious man or the spendthrift is the worse member of society ?

The avaricious man is ever scraping and heaping up, and what he saves perhaps he locks up in his strong box, to the prejudice of commerce and the injury of those, whom he ruins by cheating, usury, pettifoggings, &c. But he will not venture upon any bold and extensive mischief. He keeps within the letter of the law, however he may overleap the bounds of justice ; for he has the fear of the pillory and the gibbet before his eyes.

With the prodigal, on the contrary, it is always neck or nothing. He will commit the most daring villany, for the sake of making the figure in life which he aspires at.

The prevalency of luxury in a country, produces multitudes of this atrocious species, of which we see many instances daily. It follows, therefore, that, notwithstanding our late successes in war, indicating a happy superiority to the enervating effects of luxury upon our national courage, or at least upon the courage of our northern people, we have still a great deal to fear

from that formidable internal enemy to manners and principles.

Luxury has been sometimes defended upon the pretence of its being favourable to commerce. But there are facts in history, which shew, that it is even capable of ruining commerce. About the time of the Emperor *Justinian*, his subjects, who are commonly distinguished by the name of the Eastern or *Greek* Empire, the capital of which was *Constantinople*, possessed a very advantageous trade to India, which they lost through their luxury and idleness, and the States of *Italy* gained it by their shrewdness, industry, and frugality. This is explained by the authors of the MODERN UNIVERSAL HISTORY^a as follows:

The decline of the empire of the *Greeks*, while in the full possession, and that in a more absolute degree than any other nation whatever, of this lucrative trade of the *Indies*, seems to be a strong objection to the principle laid down at the beginning and maintained through the course of this chapter. But this, as the reader will see, is fully accounted for by their conduct; for while in their hands this commerce was really the source of vast riches and great power, a great part of the former the *Greeks* retained; the remainder, together with the naval force, they abandoned. The objection then vanishes; for it is impossible to furnish a wanton, idle, and profligate nation with power of any kind, and least of all with a naval force.

Thus luxury is capable of destroying commerce, its parent. Which shews the wisdom (the necessity, I had almost said) of setting bounds, as the ancients did, by their ostracisms and petalisms, to the effects of exorbitant wealth in individuals.

It

^a MOD. UNIV. HIST. ix. 216.

It was a custom at the new-year's lustration at *Rome*, for the consul solemnly to pray, that the gods would increase the *Roman* state. But one of those consuls, wiser than the rest, insisted, that the *Roman* state was already great enough, and declared, that he would only pray, that the gods would keep the commonwealth as it then was; for that it was already great enough. *Horace* in his times, which were later, and more corrupt, saw plainly that *Rome* was too great.

Suis et ipsa Roma viribus ruit:

‘ From the riches, and at the same time the frugality of the *Dutch*, it will appear (says Sir *William Temple*) that some of our maxims are not so certain as they are current in our common politics. As that the example and encouragement of excess and luxury if employed in the consumption of native commodities, is of advantage to trade. It may be so, to that which impoverishes, but not to that which enriches a country. It is indeed less prejudicial, if it lies in native than if in foreign wares; but the humour of luxury and expence cannot stop at certain bounds; what begins in native, will proceed in foreign commodities: and though the example arises among idle persons, yet the imitation will run into all degrees, even of those men by whose industry the nation subsists. And besides, the more of our own we spend, the less we shall have to send abroad; and so it will come to pass, that while we drive a vast trade, yet, by buying much more than we sell, we shall come to be poor^a.’

Some apologise for luxury as serving to promote arts and taste. On the contrary, *Polybius*, speaking of the ignorance of *Mummius*, casts a reflection on the arts, as
if

^a *Andersf. Hist. Com. I. 186.*

if taste made people extravagant and dishonest. But he might as well say, we ought not to love women, because that passion often hurries us into folly and vice. It is not too much taste, but too little prudence and virtue, that produces degeneracy in a people. The truth is, it is only *occasionally*, not necessarily, that commerce, arts, and taste do harm. And the same spendthrift, who in a polished age and country breaks for half a million, would, in a time and place of less cultivation and and less ostentation, have broke for 10,000l.

Montague observes, that the *Carthaginians*, though enriched by commerce, were not effeminated by it^a.

Riches do not *necessarily* enervate a people, unless there be a relaxation of discipline, and degeneracy of manners. The *Florentines*, (though they had been at war 50 years, with almost all the states of *Italy*, and several powerful princes) were ‘by means of their extensive commerce, encouragement of ingenious arts, ‘*strictness of discipline*, and *regularity of government*, ‘prodigiously rich; and their riches, far from enervating them, inspired them with ideas of rivalling the ‘old *Romans*, not only in sentiments, but in power^b.’ In the time of their war with *Scaliger* prince of *Verona*, they were cultivating the arts of peace at home. *Giotto*, a famous architect and painter, worked at this time in *Florence*; and built the square tower of *Florence*, said to be 144 ells high^c.

The *Romans* did not think of paving streets, till 500 years after the building of the city^d; the æra of their greatest glory, their greatest virtue, courage, public spirit, liberty, &c. but of their greatest ignorance of the

^a ANT. REP. p. 338.

^b MOD. UNIV. HIST. XXXVI. 100.

^c Ibid. 101.

^d ANT. UNIV. HIST. XII. 358.

the polite arts, as appears from the famous instance of the consul *Mummius*, and others.

Excudent alii spirantia, &c. VIRG.

The *Athenians* were but clumsy artists, while they were a free people. They did not take to the fine arts, till they lost their liberties.

The *French* are thought to excel us as much in painting, statuary, engraving, and some other elegancies, as they fall short of us in freedom. It must be confessed, that we have carried music and poetry much farther, than they.

It has often been said, that liberty encourages the arts, and that slavery depresses them. And it is certain, that men, whose minds are debased and dispirited by actual cruelty exercised against them by their sovereign, are not likely to enjoy that tranquil mind, which is so necessary for the free play of imagination.

But, on the other hand, there is generally found, in a free people, a certain ferocity, (the very cause of their being free; for kings and ministers are always ready to enslave all who will permit them) which ferocity is scarcely consistent with the turn of mind that is necessary for a proficient in the elegant arts. Add, that a certain degree of luxury, the forerunner of slavery, is necessary for the support of the fine arts.

In our times the rapacity for riches is got to an unexampled height. We have not, like the *Romans*^a, a temple dedicated to *Juno Moneta*; but every man and every woman seems to have erected a temple to money in their hearts. Not that hoarding is the vice of the times. But the case is worse. For the voracity of those who disgorge their money as fast as they swallow it, is the most insatiable. Like the gluttons satyrized

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by

^a ANT. UNIV. HIST. XII. 54.

by *Juvenal*, who forced themselves to bring up one supper, that they might have the filthy pleasure of eating two, the same evening, our nobility and gentry, who repeatedly beggar themselves at Mrs. *Cornely's*, and *Arthur's*, are incomparably more insatiable than misers, who have no call upon them, but that of their avarice merely. *Catiline's* character, in *Salust*, suits a great multitude in our times. *Alieni appetens; sui profusus*. Rapacious, yet profuse.

The *English* are probably the most luxurious people now in the world; and the *English* are the most given to suicide of any people now in the world. Does not this remarkable coincidence give ground to presume, that there is a connexion between luxury and self-murder? That a people enslaving themselves to luxury, grow extravagant and expensive in their living; and, not being able to bear the expence of their way of living, and growing effeminate, impotent, and impatient of disappointment, they suffer despair to hurry them into the crime, which admits of no repentance or reformation. Ought not then every wise and good government to suppress luxury? Ought not every individual to set up an example against it?

Wherever luxury has prevailed, it may be traced by its mischievous effects.

The *Ionians* were once as valiant as the other *Greeks*. But they degenerated through luxury, the ruin of all bravery and public virtue. *Maximus Tyrius* says, the *Crotonians* loved the Olympic games, the *Spartans* fine armour, the *Cretans* hunting, the *Sybarites* dressing, and the *Ionians* lascivious dances. The *Ionians* accordingly joined *Xerxes* against their countrymen the *Athenians*. It is true, after they saw themselves taken to task by *Themistocles*, they deserted the *Persians*, and gave the
Greeks

Greeks an opportunity of gaining the important victory of *Salamis*.

The fall of *Athens* is, by some writers, ascribed to *Pericles*'s contriving to bring the court of *Areopagus* into disgrace, because he was refused admission into it^a.

The conquering of *Antiochus* was the first introduction of luxury into the commonwealth^b.

Hannibal probably would have overset *Rome*, and saved his country from the horrible cruelty of the *Romans*, if he had not himself been overset by faction. Thus faction was the ruin of *Carthage*, and riches probably were the cause of faction^c.

Scarce any of the ancient *Numidians* died of any thing, but old age, says *Salust*.

Alexander's ministers, and generals, were corrupted by his profusion in enriching them out of the spoils of the conquered nations^d. Hence factions and conspiracies. At length he himself became infected. Then he must wear the *Persian* dress, and mimick the oriental effeminacy. At last he sunk into a beastly sot, and is thought, by some authors, to have fallen, at *Babylon*, a sacrifice to ebriety, though others ascribe his death to poison.

The author of *GRAND. ET DECAD. DES ROM.* ascribes the ruin of *Carthage* in great measure to the exorbitant riches of some individuals, p. 33.

Alexander and *Kouli khan* thought it necessary (the same author observes, p. 46.) to retrench the growing riches of their armies.

The great, but effeminate empire of *China*, said to contain innumerable cities, some of which inhabited by two millions of people, besides 4,400 walled, and 2,920

F 2

open

^a ANT. UNIV. HIST. VI. 331.

^c Ibid. XVIII. 110.

^b Ibid. IX. 270.

^d Ibid. VIII. 562.

open towns, an army of 2,659,191 men, and in all about 12 millions of families, or 60 millions of people, the first establishment of which is too ancient for history, was conquered by the warlike *Tartars*, in as many single years, as it had stood thousands ^a.

The *Tartar* princes, enervated by the pleasures of the fine country of *China*, degenerated from the valour of their ancestors ^b. So *Capua* proved a *Cannæ* to *Hannibal*.

Don Pelayo, when he recovered the *Asturias* from the *Moors*, walled no towns, built no castles, fortified no passes, thinking all such proceedings encouragements to laziness, and detrimental to courage ^c.

At the battle of *Bretinfield*, between the Imperialists and the Swedes, and their allies, *A. D.* 1642, in which the former were defeated, the regiment of *Madlon*, of the Imperial side, fled without striking a blow, and occasioned the confusion, which proved fatal. After the decision they were surrounded by six regiments, disarmed, their ensigns torn, their disgrace published, the regiment erased from the muster-roll, and their sentence read, viz. That the colonel, captains, and lieutenants, should be beheaded, the ensigns hanged, the soldiers decimated, and the survivors driven with disgrace out of the army ^d.

The *Lusitanians* gained victories over the *Romans* ^e. Any nation in *Europe* can beat the modern *Portuguese*.

Hear the excellent *Mountague* on the prevalency of luxury among the *Romans*, and its effects ^f.

‘ If we connect the various strokes interspersed through what we have remaining of the writings of *Salust*,

^a MOD. UNIV. HIST. VIII. 15.

^b Ibid. VIII. 470.

^c Ibid. XIX. 494.

^d Ibid. XX. 260.

^e ANT. UNIV. HIST. XII. 363.

^f Mountag. ANT. REPUBL. 269.

‘ *Salust*, which he levelled at the vices of his country-
‘ men, we shall be able to form a just idea of the man-
‘ ners of the *Romans* in the time of that historian.
‘ From the picture thus faithfully exhibited, we must
‘ be convinced, that not only those shocking calamities,
‘ which the republic suffered during the contest between
‘ *Marius* and *Sylla*, but those subsequent and more fa-
‘ tal evils, which brought on the utter extinction of the
‘ *Roman* liberty and constitution, were the natural ef-
‘ fects of that foreign luxury, which first introduced
‘ venality and corruption. Though the introduction
‘ of luxury from *Asia* preceded the ruin of *Carthage* in
‘ point of time, yet as *Salust* informs us, the dread of
‘ that dangerous rival restrained the *Romans* within
‘ the bounds of decency and order. But as soon as
‘ ever that obstacle was removed, they gave a full scope
‘ to their ungoverned passions. The change in their
‘ manners was not gradual, and by little and little, as
‘ before, but rapid and instantaneous. Religion,
‘ justice, modesty, decency, all regard for divine or
‘ human laws, were swept away at once by the irre-
‘ sistible torrent of corruption. The nobility strained
‘ the privileges annexed to their dignity, and the peo-
‘ ple their liberty, alike into the most unbounded li-
‘ centiousness. Every one made the dictate of his
‘ own lawless will, his only rule of action. Public
‘ virtue, and the love of their country, which had
‘ raised the *Romans* to the empire of the universe, were
‘ extinct. Money, which alone could enable them to
‘ gratify their darling luxury, was substituted in their
‘ place. Power, dominion, honours, and universal
‘ respect were annexed to the possession of money. Con-
‘ tempt, and whatever was most reproachful, was the
‘ bitter portion of poverty; and to be poor, grew to
‘ be the greatest of all crimes, in the estimation of

‘ the *Romans*. Thus wealth and poverty contributed
‘ alike to the ruin of the republic. The rich employed
‘ their wealth in the acquisition of power, and their
‘ power in every kind of oppression, and rapine for the
‘ acquisition of more wealth. The poor, now dissolute
‘ and desperate, were ready to engage in every sedi-
‘ tious insurrection, which promised them the plunder
‘ of the rich, and set up both their liberty and coun-
‘ try to sale, to the best bidder. The republic, which
‘ was the common prey to both, was thus rent to
‘ pieces between the contending parties. As an uni-
‘ versal selfishness is the genuine effect of universal
‘ luxury, so the natural effect of selfishness is to break
‘ through every tie, both divine and human, and to
‘ stick at no kind of excesses in the pursuit of wealth,
‘ its favourite object. Thus the effects of selfishness
‘ will naturally appear in irreligion, breach of faith,
‘ perjury, a contempt of all the social duties, extor-
‘ tion, frauds in our dealings, pride, cruelty, univer-
‘ sal venality and corruption. From selfishness arises
‘ that vicious ambition, if I may be allowed the term,
‘ which *Salust* rightly defines, the lust of domination.
‘ Ambition is a passion which precedes avarice; for
‘ the seeds of ambition seem almost to be innate. The
‘ desire of pre-eminence, the fondness for being di-
‘ stinguished above the rest of our fellow-creatures,
‘ attends us from the cradle to the grave. Though as
‘ it takes its complexion, so it receives its denomination
‘ from the different objects it pursues, which in all
‘ are but the different means of attaining the same end.
‘ But the lust of domination here mentioned by *Salust*,
‘ though generally confounded with ambition, is in
‘ reality a different passion, and is strictly speaking on-
‘ ly a different mode of selfishness. For the chief end
‘ which we propose by the lust of domination, is to
‘ draw

‘ draw every thing to center in ourselves, which we
‘ think will enable us to gratify every other passion.
‘ I confess it may be alleged that self-love, and selfish-
‘ ness, both arise from the general law of self-preserva-
‘ tion, and are but different modes of the same prin-
‘ ciple. I acknowledge that if we examine strictly
‘ all those heroic instances of love, friendship, or pa-
‘ triotism, which seem to be carried to the most exalted
‘ degree of disinterestedness, we shall probably find the
‘ principle of self-love lurking at the bottom of many
‘ of them. But if we rightly define these two prin-
‘ ciples, we shall find an essential difference between
‘ our ideas of self-love and selfishness. Self-love, with-
‘ in its due bounds, is the practice of the great duty of
‘ self-preservation regulated by that law, which the
‘ great Author of our being has given for that very end.
‘ Self-love, therefore, is not only compatible with the
‘ most rigid practice of the social duties, but is in fact a
‘ great motive and incentive to the practice of all moral
‘ virtue. Whereas selfishness, by reducing every thing
‘ to the single point of private interest, a point which it
‘ never loses sight of, banishes all the social virtues, and
‘ is the first spring of action, which impells to all these
‘ disorders which are so fatal to mixed government in
‘ particular, and to society in general. From this poi-
‘ sonous source *Salust* deduces all those evils which spread
‘ the pestilence of corruption over the whole face of the
‘ republic, and changed the mildest and most upright
‘ government in the universe, into the most inhuman
‘ and most insupportable tyranny. For as the lust of
‘ domination can never possibly attain its end without the
‘ assistance of others, the man who is actuated by that
‘ destructive passion, must of necessity strive to attach
‘ himself to a set of men of similar principles for the sub-
‘ ordinate instruments. This is the origin of all those
‘ iniquitous

‘ iniquitous combinations which we call factions. To
‘ accomplish this, he must put on as many shapes as
‘ *Proteus*; he must ever wear the mask of dissimula-
‘ tion, and live a perpetual lie. He will court the
‘ friendship of every man, who is capable of promoting,
‘ and endeavour to crush every man who is capable of
‘ defeating his ambitious views. Thus his friendship
‘ and his enmity will be alike unreal, and easily con-
‘ vertible, if the change will serve his interest. As
‘ private interest is the only tie which can ever con-
‘ nect a faction, the lust of wealth, which was the
‘ cause of the lust of domination, will now become the
‘ effect, and must be proportionable to the sum total of
‘ the demands of the whole faction; and as the latter
‘ know no bounds, so the former will be alike insatiable.
‘ For when once a man is inured to bribes in the service
‘ of faction, he will expect to be paid as well for acting
‘ for, as for acting against the dictates of his con-
‘ science. A truth which every minister must have
‘ experienced, who has been supported by a faction,
‘ and which a late great minister, as he frankly con-
‘ fessed, found to be the case with him during his long
‘ administration. But how deeply soever a state may be
‘ immersed in luxury and corruption, yet the man who
‘ aims at being the head of a faction for the end of do-
‘ mination, will at first cloak his real design under an
‘ affected zeal for the service of the government.
‘ When he has established himself in power, and formed
‘ his party, all who support his measures will be re-
‘ warded as the friends; all who oppose him will be
‘ treated as enemies to the government. The honest
‘ and uncorrupt citizen will be hunted down, as
‘ disaffected, and all his remonstrances against mal-ad-
‘ ministration, will be represented as proceeding from
‘ that principle. The cant term *disaffection*, will be
‘ the

‘ the watch-word of the faction; and the charge of
‘ disaffection, that constant resource of iniquitous mi-
‘ nisters, that infallible sign that a cause will not stand
‘ the test of a fair inquiry, will be perpetually employed
‘ by the tools of power to silence those objections which
‘ they want arguments to answer. The faction will esti-
‘ mate the worth of their leader, not by his services to his
‘ country; for the good of the public will be looked
‘ upon as obsolete and chimerical; but his ability to
‘ gratify or screen his friends; and crush his opponents.
‘ The leader will fix the implicit obedience to his will
‘ as the test of merit to his faction: consequently all
‘ the dignities and lucrative posts will be conferred upon
‘ persons of that stamp only, whilst honesty and public
‘ virtue will be standing marks of political reprobation.
‘ Common justice will be denied to the latter in all con-
‘ troverted elections, whilst the laws will be strained
‘ or over-ruled in favour of the former. Luxury is the
‘ certain forerunner of corruption, because it is the cer-
‘ tain parent of indigence: consequently a state so
‘ circumstanced will always furnish an ample supply of
‘ proper instruments for faction. For as luxury con-
‘ sists in an inordinate gratification of the sensual
‘ passions, the more the passions are indulged, they grow
‘ the more importunately craving, till the greatest for-
‘ tune must sink under their insatiable demands. Thus
‘ luxury necessarily produces corruption. For as
‘ wealth is essentially necessary to the support of luxury,
‘ wealth will be the universal object of desire in every
‘ state where luxury prevails: consequently, all those who
‘ have dissipated their private fortunes in the purchase of
‘ pleasure, will be ever ready to enlist in the cause of
‘ faction for the wages of corruption. A taste for
‘ pleasure immoderately indulged, quickly strengthens
‘ into habit, eradicates every principle of honour and
‘ virtue,

‘ virtue, and gets possession of the whole man. And
‘ the more expensive such a man is in his pleasures, the
‘ greater lengths he will run for the acquisition of
‘ wealth for the end of profusion. Thus the conta-
‘ gion will become so universal that nothing but an
‘ uncommon share of virtue can preserve the possessor
‘ from infection. For when once the idea of respect
‘ and homage is annexed to the possession of wealth
‘ alone, honour, probity, every virtue and every amiable
‘ quality will be held cheap in comparison, and looked
‘ upon as awkward and quite unfashionable. But
‘ as the spirit of liberty will yet exist in some degree, in
‘ a state which retains the name of freedom, even
‘ though the manners of that state should be generally
‘ depraved, an opposition will arise from those virtuous
‘ citizens who know the value of their birth-right, li-
‘ berty, and will never submit tamely to the chains of
‘ faction. Force then will be called in to the aid of
‘ corruption, and a standing army will be introduced.
‘ A military government will be established upon the
‘ ruins of the civil, and all commands and employ-
‘ ments will be disposed of at the arbitrary will of law-
‘ less power. The people will be fleeced to pay for
‘ their own fetters, and doomed, like the cattle, to
‘ unremitting toil and drudgery, for the support of their
‘ tyrannical masters. Or if the outward form of civil
‘ government should be permitted to remain, the people
‘ will be compelled to give a sanction to tyranny by
‘ their own suffrages, and to elect oppressors instead of
‘ protectors. From this genuine portrait of the *Roman*
‘ manners, it is evident to a demonstration, that the
‘ fatal catastrophe of that republic, of which *Sallust*
‘ himself was an eye-witness, was the natural effect of
‘ the corruption of their manners. It is equally as
‘ evident from our author and the rest of the *Roman*
‘ historians,

‘ historians, that the corruption of their manners was
‘ the natural effect of foreign luxury, introduced and
‘ supported by foreign wealth. The fatal tendency of
‘ these evils was too obvious to escape the notice of
‘ every sensible *Roman*, who had any regard for liberty
‘ and their ancient constitution. Many sumptuary
‘ laws were made to restrain the various excesses of
‘ luxury; but these efforts were too feeble to check the
‘ overbearing violence of the torrent. *Cato* proposed
‘ a severe law, enforced by the sanction of an oath,
‘ against bribery and corruption at elections; where the
‘ scandalous traffic of votes was established by custom,
‘ as at a public market. But as *Plutarch* observes, he
‘ incurred the resentment of both parties by that sa-
‘ lutory measure. The rich were his enemies, because
‘ they found themselves precluded from all pretensions
‘ to the highest dignities; as they had no other merit
‘ to plead but what arose from their superior wealth.
‘ The electors abused, cursed, and even pelted him, as
‘ the author of a law which deprived them of the wages
‘ of corruption, and reduced them to the necessity of
‘ subsisting by labour. But this law, if it really passed,
‘ had as little effect as any of the former; and like the
‘ same laws in our own country upon the same occasion,
‘ was either evaded by chicane or over-ruled by power.
‘ Our own septennial scenes of drunkenness, riot, bri-
‘ bery, and abandoned perjury, may serve to give an
‘ idea of the annual elections of the *Romans* in those
‘ abominable times. Corruption was arrived at its
‘ last stage, and the depravity was universal. The
‘ whole body of the unhappy republic was infected and
‘ the distemper was incurable. For these excesses
‘ which formerly were esteemed the vices of the people,
‘ were now, by the force of custom fixed into a habit,
‘ become

‘ become the manners of the people. A most infallible
‘ criterion by which we may ascertain the very point
‘ of time when the ruin of any free state, which labours
‘ under these evils, may be naturally expected. The
‘ conspiracies of *Catiline* and *Cæsar* against the liberty
‘ of their country, were but genuine effects of that cor-
‘ ruption which *Salust* has marked out as the imme-
‘ diate cause of the destruction of the republic. The
‘ end proposed by each of these bad men, and the means
‘ employed for that end, were the same in both. The
‘ difference in their success arose only from the difference
‘ of address and abilities in the respective leaders.
‘ The followers of *Catiline*, as *Sallust* informs us, were
‘ the most dissolute, the most profligate, and the most
‘ abandoned wretches, which could be culled out of the
‘ most populous and most corrupt city of the universe.
‘ *Cæsar*, upon the same plan, formed his party, as we
‘ learn from *Plutarch*, out of the most infected and
‘ most corrupt members of the very same state. The
‘ vices of the times easily furnished a supply of pro-
‘ per instruments. To pilfer the public money, and
‘ to plunder the provinces by violence, though state
‘ crimes of the most heinous nature, were grown so
‘ familiar by custom, that they were looked upon as no
‘ more than mere office perquisites. The younger
‘ people who are ever most ripe for sedition and insur-
‘ rection, were so corrupted by luxury, that they might
‘ be deservedly termed an abandoned race, whose diffi-
‘ pation made it impracticable for them to keep their
‘ own private fortunes; and whose avarice would not
‘ suffer their citizens to enjoy the quiet possession of
‘ theirs.’

‘ Though there is a concurrence of several causes
‘ which brings on the ruin of a state, yet, where luxury
‘ prevails,

prevails, that parent of all our fantastic imaginary wants, ever craving and ever unsatisfied, we may justly assign it as the leading cause: since it ever was and ever will be the most baneful to public virtue. For as luxury is contagious from its very nature, it will gradually descend from the highest to the lowest ranks, till it has ultimately infected a whole people. The evils arising from luxury have not been peculiar to this or that nation; but equally fatal to all where-ever it was admitted. Political philosophy lays this down as a fundamental and incontestible maxim, that all the most flourishing states owed their ruin, sooner or later, to the effects of luxury; and all history, from the origin of mankind, confirms by this truth the evidence of facts, to the highest degree of demonstration. In the great despotic monarchies it produced avarice, dissipation, rapaciousness, oppression, perpetual factions amongst the great, whilst each endeavoured to engross the favour of the Prince wholly to himself; venality, and a contempt for all law and discipline, both in the civil and military departments. Whilst the people, following the pernicious example of their superiors, contracted such a dastardly effeminacy, joined to an utter inability to support the fatigues of war, as quickly threw them into the hands of the first resolute invader. Thus the *Assyrian* empire sunk under the arms of *Cyrus*, with his poor but hardy *Persians*. The extensive and opulent empire of *Persia* fell an easy conquest to *Alexander*, and a handful of *Macedonians*. And the *Macedonian* empire, when enervated by the luxury of *Asia*, was compelled to receive the yoke of the victorious *Romans*. Luxury, when introduced into free states, and suffered to be diffused without control through the body of the people, was ever productive of that degeneracy of manners

‘ manners which extinguishes public virtue, and puts a
‘ final period to liberty. For as the incessant demands
‘ of luxury quickly induced necessity, that necessity
‘ kept human invention perpetually on the rack, to find
‘ out ways and means to supply the demands of luxury.
‘ Hence the lower classes at first sold their suffrages in
‘ privacy and with caution; but as luxury increased,
‘ and the manners of the people grew daily more cor-
‘ rupt, they openly set them up to sale to the best bid-
‘ der. Hence too the ambitious amongst the higher
‘ classes, whose superior wealth was frequently their
‘ only qualifications, first purchased the most lucrative
‘ posts in the state by this infamous kind of traffic,
‘ and then maintained themselves in power by that
‘ additional fund for corruption, which their employ-
‘ ments supplied, till they had undone those they had
‘ first corrupted. But of all the ancient republics,
‘ *Rome*, in the last period of her freedom, was the scene
‘ where all the inordinate passions of mankind operated
‘ most powerfully and with the greatest latitude.
‘ There we see luxury, ambition, faction, pride, re-
‘ venge, selfishness, a total disregard to the public
‘ good, an universal dissoluteness of manners, first make
‘ them ripe for, and then complete their destruction.
‘ Consequently that period, by shewing us more striking
‘ examples, will afford more useful lessons than any
‘ other part of their history^a.’

Great must have been the frugality and moderation
of the *Romans*, when *Attilius Regulus* warring at the
head of the *Roman* legions abroad, wrote home to the
senate, desiring to be recalled, because his farm be-
ing, in his absence, neglected, his wife and children
were in danger of starving^b. And by the same rule,
the

^a *Mountag* ANT. Rep. 221.

^b ANT. UNIV. HIST. vol. XII. p. 178.

the state might be thought on the decline, when the ladies solicited a repeal of the *Oppian* law, by which they were, in times of extremity, restrained in their expences as to dress, chariots, &c.^a

In the contest between *Crassus* and *Pompey*, we see the former catching the favour of the people by entertaining them at 10,000 tables, and giving them largesses of corn. Well might it be pronounced, that the *Roman* spirit was on the decline, when such a base art was found successful. Very different were the times, when *Curius Dentatus* rejected the *Samnite* present of plate; or when the *Roman* ambassadors set the golden crowns, they had sent them by king *Ptolemy*, on the heads of his statues.

We see luxury gradually increasing and prevailing over the *Roman* spirit and virtue, till at length, in the imperial times, the contagion even reached ladies of the greatest distinction, who, in imitation of the prince and his court, had their assemblies and representations too, in a grove planted by *Augustus*, where booths were built, and in them sold, whatever incited to sensuality and wantonness. Thus was even the outward appearance of virtue banished the city, and all manner of avowed lewdness, depravity, and dissoluteness, introduced in its room, men and women being engaged in a contention to outvie each other in glaring vices, and scenes of impurity. At length *Nero* could forbear no longer; but took the harp, and mounted the public stage, trying the strings with much attention, and care, and studying his part. About him stood his companions, and a cohort of the guards, with many tribunes and centurions, and *Burrhus* their commander, sad on this infamous occasion; but praising *Nero*, while he grieved for him. At this time he inrolled a body of
Roman

^a ANT. UNIV. HIST. XII. 342.

Roman knights, entitled the knights of *Augustus*; young men distinguished by the bloom of their years, and strength of body, but all professed profligates. As the emperor spent whole days and nights in singing, and playing upon the harp; the sole business of these knights was, to commend his person and voice, to extol the beauty of both, by names and epithets peculiar to the gods, and to sing his airs about the streets.

It may be questioned whether there is in history any example more striking of the excess, to which luxury may be carried in a country, than the following of the ancient inhabitants of *Tarentum*^a.

‘ The heat of the climate, the fruitfulness of the
 ‘ country, and the opportunity of supplying themselves
 ‘ by sea, with all the delights of *Greece*, sunk the *Ta-*
 ‘ *rentines* into idleness, and all the vices that attend it.
 ‘ Their whole life was spent in feasts, sports, and pub-
 ‘ lic entertainments. Buffoons and prostitutes go-
 ‘ verned the state at their pleasure, and often deter-
 ‘ mined the most important affairs by a joke, or an in-
 ‘ decent gesture. They bore a mortal hatred to the
 ‘ *Romans*, and dreaded their dominion, not so much
 ‘ out of fear of losing their liberty, as of being disturbed
 ‘ by that warlike and rough people, in the pursuit of
 ‘ their pleasures. They therefore employed all their
 ‘ *Grecian* subtilty, to draw such a number of enemies
 ‘ upon them, as still to keep them at distance from
 ‘ themselves, and this without appearing to be concerned.

‘ The *Tarentines* imagining that *Rome* having at last
 ‘ discovered their secret plots, had sent that fleet to
 ‘ punish them, they all, with one consent, ran down
 ‘ to the port, fell upon the *Roman* fleet with the fury
 ‘ of madmen, sunk one ship, and took four, the other
 ‘ five escaping. All the prisoners fit to bear arms,
 ‘ were

^a ANT. UNIV. HIST. XII. 143. 146. 148.

‘ were put to the sword, and the others sold for slaves
‘ to the best bidder. The *Romans*, upon the news of
‘ this act of hostility, sent a deputation to *Tarentum*,
‘ to demand satisfaction for the insult offered to the
‘ republic; but the *Tarentines*, instead of hearkening to
‘ their demands, insulted the ambassadors in the most
‘ outrageous manner. They admitted them to an au-
‘ dience in the theatre, where *Posthumius*, who was at
‘ the head of the embassy, and had been thrice consul,
‘ harangued the assembly in *Greek*. His advanced age,
‘ his personal merit, and above all, the character of an
‘ ambassador, from a powerful people, ought to have
‘ gained him respect; but the *Tarentines*, heated with
‘ wine, not only gave no attention to his discourse, but
‘ burst into loud laughter, and impudently hissed him,
‘ whenever he dropped an improper expression, or pro-
‘ nounced a word with a foreign accent. Nor was
‘ this all. When he began to speak of reparation of
‘ injuries, they flew into a rage, and rather drove him
‘ out of the assembly, than dismissed him. As he was
‘ walking off with an air of gravity and dignity, which
‘ he preserved, notwithstanding the reception they gave
‘ him, a buffoon named *Philonides*, coming up to him,
‘ urined upon his robe; a new source of immoderate
‘ laughter to the mad and drunken multitude, who
‘ clapped their hands, applauding the outrageous inso-
‘ lence. *Posthumius* turning about to the assembly,
‘ shewed them the skirt of his garment so defiled;
‘ but when he found that this had no effect, but to in-
‘ crease the loudness of their contumelious mirth, he
‘ said without the least emotion, Laugh on *Tarentines*,
‘ laugh on now while you may; the time is coming
‘ when you will weep. It is not a little blood that
‘ must wash and purify this garment. This said, he
‘ withdrew, left the city, and embarked for *Rome*.

‘ When the *Tarentines* came to themselves, and began
‘ to reflect on the enormity of their conduct, and at the
‘ same time, on the inability of their neighbours to
‘ defend them against so powerful a republic, they cast
‘ their eyes upon *Pyrrhus* king of *Epirus*, whose great
‘ reputation for valour and long experience in war, had
‘ gained him the reputation of one of the heroes of
‘ *Greece*. They therefore immediately dispatched am-
‘ bassadors to him, but rather to sound his disposition,
‘ and observe the situation of his affairs, than to enter
‘ without farther deliberation into any engagements
‘ with him. As *Pyrrhus* naturally loved action, and
‘ the bustle and hurry of war, the ambassadors found
‘ him in a disposition to hearken to any proposal, which
‘ would furnish him with employment worthy of his
‘ ambition.

‘ *Meton*, on the day that a public decree was to pass
‘ for inviting *Pyrrhus* to *Tarentum*, and when the peo-
‘ ple were all placed in the theatre, putting a withered
‘ garland on his head, and having a flambeau in his
‘ hand, as was the manner of the drunken debauchees,
‘ came dancing into the midst of the assembly, accom-
‘ panied by a woman playing on the flute. This silly
‘ sight was sufficient to divert the *Tarentines* from their
‘ most important deliberations. They made a ring and
‘ called out to *Meton* to sing, and to the woman to
‘ play; but when they expected to be entertained with
‘ a song, and were all silent, the wise citizen assuming
‘ an air of great seriousness, You do well *Tarentines*,
‘ said he, not to hinder those from diverting themselves,
‘ who are disposed to mirth; and if you are wise, you
‘ will yourselves take advantage of the present liberty
‘ you enjoy, to do the same. When *Pyrrhus* comes,
‘ you must change your way of life; your mirth and
‘ joy will be at an end. These words made an im-
‘ pression

‘ preſſion upon the multitude, and a murmur went
 ‘ about that he had ſpoken well; but thoſe who had
 ‘ ſome reaſon to fear, that they ſhould be delivered up
 ‘ to the *Romans*, in caſe of an accommodation, being
 ‘ enraged at what he had ſaid, reviled the aſſembly for
 ‘ ſuffering themſelves to be ſo mocked and affronted;
 ‘ and crowding together, thruſt *Meton* out of the aſ-
 ‘ ſembly.’

Heliogabalus never wore a ſuit, or a ring, twice. He gave away always to his gueſts the gold plate uſed at ſupper. Oftentimes he diſtributed among the people, and foldiery, gold, ſilver, and tickets, entitling them to receive large ſums, which were regularly paid. He had his fiſh-ponds filled with roſe-water, and the naumachia (a baſon large enough for fleets to exhibit mock-fights) with wine. Tongues of peacocks and nightingales, and brains of parrots and pheafants, were his diſhes, and his dogs were fed with the livers of geefe, his horſes with raiſins, and the wild beaſts of his menagerie with partridges and pheafants^a. Yet this effeminate wretch was as cruel as the rougheſt ſoldier^b.

Davenant^c, thinks the *Spaniards* lazineſs came upon them in the time of *Philip II.* when they got their new world in *America*, which brought among them immense treaſures of gold and ſilver, and damped the ſpirit of induſtry. It is to be feared, that the *Nabob* fortunes lately acquired in *India*, and brought hither, may have ſome ſuch effect on the diſpoſition of the *Engliſh*.

Commerce eſtabliſhed by the czar *Peter*, introduced luxury. ‘ Universal diſſipation took the lead, and profligacy of manners ſucceeded. Many of the lords began to ſqueeze and grind their peaſants, to extort

G 2

‘ freſh

^a ANT. UNIV. HIST. XV. 551.^b Ibid. 352.^c *Davenant*, I. 382.

‘ fresh supplies for the incessant demands of luxury ^a.’
If luxury has produced corruption among the poor *Russians*, what may it not be expected to do among the rich *English*?

The extreme poverty occasioned by idleness and luxury in the beginning of *Lewis XIII.* of *France*, filled the streets of *Paris* with beggars. The court (which then resided at the Louvre) disgusted at this sight, which indeed was a severe reproach on them, issued an order, forbidding all persons, on severe penalties, to relieve them, intending thereby to drive them out of town, and not caring though they dropped down dead, before they could reach the country towns and villages ^b.

The Moors possessed, for a long time, the richest parts of *Spain*, and the Christians the least fertile. The consequence was, that hard labour strengthened the former, and easy living enfeebled the latter. Accordingly, the Christians in the last and decisive battle between them and the Moors at *Tolosa*, killed 200,000 of the infidels ^c.

Scarce half the army, who, under *Bourbon*, sacked *Rome*, in the time of *Charles V.* got out of that city alive. They fell the victims of their own debauchery.

The nobles of *Spain* grew so effeminate in the time of *Ferdinand* and *Isabella*, that they would not ride upon horses; but chose mules; because their motion is gentler and easier. So that the breed of horses would have been lost, if the king had not given an order about preserving it ^d.

So *Horace* complains of the *Roman* youth of his times;

Nescit hæerere equo ingenuus puer.

The

^a PREF. TO THE CZARINA'S INSTRUCTION FOR A CODE OF LAWS, p. 11.

^b MOD. UNIV. HIST. XXIV. 451.

^c Ibid. xx. 171.

^d Ibid. XXI. 186.

The danger of a people's sliding into luxury and corruption, is thus described by my worthy friend Mr. professor *Ferguson* of *Edinburgh* ^a.

‘ The increasing regard with which men appear in
‘ the progress of commercial arts, to study their profit, or
‘ the delicacy with which they refine on their pleasures,
‘ even industry itself, or the habit of application to a
‘ tedious employment, in which no honours are won,
‘ may perhaps be considered as indications of a grow-
‘ ing attention to interest, or of effeminacy contracted
‘ in the enjoyment of ease and conveniency. Every
‘ successive art by which the individual is taught to
‘ improve on his fortune, is in reality an addition to
‘ his private engagements, and a new avocation of his
‘ mind from the public. Corruption however does not
‘ arise from the abuse of commercial arts alone; it re-
‘ quires the aid of political situation; and is not pro-
‘ duced by the objects that occupy a sordid and a mer-
‘ cenary spirit, without the aid of circumstances, that
‘ enable men to indulge in safety any mean disposition
‘ they have acquired. Providence has fitted mankind
‘ for the higher engagements, which they are some-
‘ times obliged to fulfil; and it is in the midst of such
‘ engagements, that they are most likely to acquire or
‘ to preserve their virtues. The habits of a vigorous
‘ mind are formed in contending with difficulties, not
‘ in engaging the repose of a pacific station; penetration
‘ and wisdom are the fruits of experience, not the
‘ lessons of retirement and leisure; ardour and gene-
‘ rosity are the qualities of a mind raised and animated
‘ in the conduct of scenes that engage the heart, not
‘ the gifts of reflection or knowledge. The mere in-
‘ termission of national and political efforts is, notwith-
‘ standing,

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^a *Ferguson's Hist. Civ. Soc.* 392.

‘ standing, sometimes mistaken for public good ; and
‘ there is no mistake more likely to foster the vices, or
‘ to flatter the weakness of feeble and interested men.
‘ If the ordinary arts of policy, or rather if a grow-
‘ ing indifference to objects of a public nature, should
‘ prevail, and under any free constitution, put an end
‘ to their disputes of party and silence, that noise of
‘ dissension which generally accompanies the exercise of
‘ freedom, we may venture to prognosticate corruption
‘ to the national manners, as well as remissness to the
‘ national spirit. The period is come, when no en-
‘ gagement remaining on the part of the public, pri-
‘ vate interest, and animal pleasure, become the sove-
‘ reign objects of care. When men being relieved
‘ from the pressure of great occasions, bestow their at-
‘ tention on trifles ; and having carried what they are
‘ pleased to call sensibility and delicacy on the subject
‘ of ease or molestation, as far as real weakness or folly
‘ can go, have recourse to affectation, in order to en-
‘ hance the pretended demands, and accumulate the
‘ anxieties of a sickly fancy, and enfeebled mind. In
‘ this condition, mankind generally flatter their own
‘ imbecillity under the name of politeness. They are
‘ persuaded, that the celebrated ardour, generosity and
‘ fortitude, of former ages bordered on frenzy, or
‘ were the mere effects of necessity on men, who had
‘ not the means of enjoying their ease or their plea-
‘ sure. They congratulate themselves on having
‘ escaped the storm, which required the exercise of such
‘ arduous virtues ; and with that vanity which accom-
‘ panies the human race in their meanest condition,
‘ they boast of a scene of affectation of languor, or of
‘ folly, as the standard of human felicity, and as fur-
‘ nishing the properest exercise of a rational nature.
‘ It is one of the least menacing symptoms of an age,
prone

prone to degeneracy, that the minds of men become perplexed in the discernment of merit, as much as the spirit becomes enfeebled in conduct, and the heart misled in the choice of its objects. The care of mere fortune is supposed to constitute wisdom; retirement from public affairs, and real indifference to mankind, receive the applause of moderation and virtue. Great fortitude and elevation of mind, have not always indeed been employed in the attainment of valuable ends; but they are always respectable, and they are always necessary when we would act for the good of mankind, in any of the more arduous stations of life. While therefore we blame their misapplication, we should beware of depreciating their value. Men of a severe and sententious morality, have not always sufficiently observed this caution; nor have they been duly aware of the corruptions they flattered, by the satire they employed against what is aspiring and prominent in the character of the human soul.

Harrington, in his *OCEANA*^a, writes, in a very edifying manner, on this subject, as follows :

‘ *Rome* was never ruined, till her balance being
‘ broken, the nobility forsaking their ancient virtue,
‘ abandoned themselves to their lusts ; and the senators,
‘ who, as in the case of *Jugurtha*, were all bribed,
‘ turned knaves ; at which turn all their skill in go-
‘ vernment (and in this never men had been better
‘ skilled) could not keep the commonwealth from over-
‘ turning. *Cicero*, an honest man, laboured might and
‘ main ; *Pomponius Atticus*, another, despaired ; *Cato*
‘ tore out his own bowels ; the poignards of *Brutus* and
‘ *Cassius* neither considered prince nor father ; but the
‘ commonwealth

^a Harrington's OCEANA, p. 323.

‘ commonwealth had sprung her planks, and split her
‘ ballast ; the world could not save her.’

‘ When governors,’ say the authors of the UNIVER-
SAL HISTORY^a, ‘ either through want of thought, or,
‘ which is often the case, from a wrong turn of
‘ thought, suffer those of whom they have the care, to
‘ sink into all the excesses of debauchery, they must
‘ not expect from these wicked and effeminate men
‘ either generous thoughts or gallant actions. When
‘ a people become slaves to their lusts, they are in the
‘ fairest train imaginable of becoming slaves to their
‘ neighbours. Politicians may for a time indeed ward
‘ off the blow ; but how ? Why, by making use of
‘ mercenary troops. Thus the cowardly spendthrift
‘ pays a bully to fight his quarrels, and when he pays
‘ him no longer, is beaten by him himself. This was
‘ the fate of the *Persians* ; they hired *Greek* troops ;
‘ maintained them in the exercise of their discipline ;
‘ made them perfectly acquainted with their country
‘ and manners ; suffered them to see and consider those
‘ errors in their government which made it, in spite of
‘ its grandeur, appear contemptible ; and then these
‘ very *Greeks*, on their return home, were continually
‘ prompting their countrymen to go and pull down that
‘ empire, whose weight scarce permitted it to stand.
‘ If the *Persian* emperors had always encouraged feuds
‘ in *Greece*, the *Greeks* could never have turned their
‘ arms upon them ; for we see that till one state subdued
‘ the rest, an expedition into *Asia* might be talked of,
‘ but could not be executed. Instead of this, the ne-
‘ cessity we before mentioned compelled the *Persians* to
‘ compose the quarrels of the *Grecians*, that they might
‘ furnish him with troops. Peace enervated the *Greeks* ;
‘ the

^a ANT. UNIV. HIST. VIII. 480.

‘ the facility of recruiting their mercenaries, made the
‘ *Persians* neglect all martial discipline. In the mean
‘ time *Philip*, blessed with an excellent education, ex-
‘ ercised with early troubles, endowed with invincible
‘ fortitude, and full of as restless ambition, raised the
‘ nation he governed from an indigent and dependent
‘ state to be, first, the terror of its neighbours, then
‘ the mistress of *Greece*, last of all a match for *Persia*.
‘ On this foundation stands the fame of *Philip*. These
‘ were the causes of his being in a condition to pass in-
‘ to *Asia*, and these the sources of that weakness and
‘ inability to resist, which afterwards appeared in the
‘ *Persian* administration.’

The same authors explain as follows^a, the sub-
mission of the once brave and free *Spartans* to a set
of lawless tyrants, for a long course of years.

‘ It may seem strange, that the *Spartans*, who had
‘ entertained such generous notions of liberty submitted
‘ patiently, for so long a tract of time, to the arbitrary
‘ commands of lawless tyrants; but this wonder will in
‘ a great measure be taken off, if we consider two
‘ things; first, that the manners of the *Lacedemonians*
‘ were greatly corrupted; which is indeed the very
‘ basis of slavery. There can be no such thing as
‘ bending the necks of virtuous people; but when once
‘ men are abandoned to their vices, and become slaves
‘ to their passions, they readily stoop to those who can
‘ gratify them; and this was the case of the majority
‘ of the inhabitants of *Sparta* at this time. Secondly,
‘ those amongst them, who were distinguished by their
‘ merit and their morals, were, on this very account,
‘ proscribed by the tyrants, and hated by their creatures;
‘ so that they were forced to forsake their country, and
‘ leave

^a ANT. UNIV. HIST. VII. 158.

‘ leave it to groan under a power, which they were un-
 ‘ able to resist. To this we may add, that such as were
 ‘ of mild dispositions, flattered themselves with the
 ‘ hopes of seeing better times; and even in these con-
 ‘ soled themselves with the thoughts, that *Sparta* yet
 ‘ retained her independency, and was not subjected by
 ‘ another state.’

What then avails civilisation? How are nations gainers by improving in arts and sciences, if they improve at the same time in all that is selfish, base, and sordid? Our untutored ancestors in the forests of *Germany* two thousand years ago, had a high relish for patriotism, liberty, and glory; of which we their improved posterity talk with contempt and ridicule^a. Their pride was to bear cold, hunger, and thirst, with a manly fortitude. Ours to have fifteen dishes of meat, and six different sorts of wine, on our tables every day. Their pride was to defend themselves against their enemies: ours to hire a mercenary army, who have only to turn their swords upon us, instead of our enemies, and we are their slaves. Their pride was, to shew themselves faithful, constant, and disinterested, in serving their country: ours to fill our pockets with the spoils of our country, and then cry, It will hold my time. To them honour was the reward for serving the public: we have no conception of any reward, but yellow dirt.

Of the mischievous effects of luxury, thus writes the humane and pious *Dr. Price*^b.

‘ I have represented particularly the great difference
 ‘ between the probabilities of human life in towns and
 ‘ in

^a *Jul. Cæs.* DE BELL. GALL. and *Tacit.* DE MOR. GERM. *pass.*

^b *Price* ON ANNUITIES, p. 274.

‘ in country parishes ; and from the facts I have recited,
‘ it appears, that the farther we go from the artificial
‘ and irregular modes of living in great towns, the
‘ fewer of mankind die in the first stages of life, and the
‘ more in its last. The lower animals, except such as
‘ have been taken under human management, seem in
‘ general to enjoy the full period of existence allotted
‘ them, and to die chiefly of old age : and were any
‘ observations to be made among the savages, perhaps the
‘ same would be found to be true of them. Death is
‘ an evil to which the order of Providence has subjected
‘ every inhabitant of this earth ; but to man it has been
‘ rendered unspeakably more an evil than it was design-
‘ ed to be. The greatest part of that black catalogue
‘ of diseases which ravage human life, is the offspring
‘ of the tendernefs, the luxury, and the corruptions in-
‘ troduced by the vices and false refinements of civil
‘ society. That delicacy which is injured by every
‘ breath of air, and that rottennefs of constitution which
‘ is the effect of intemperance and debauchery, were
‘ never intended by the author of nature ; and it is
‘ impossible that they should not lay the foundation of
‘ numberless sufferings, and terminate in premature
‘ and miserable deaths.—Let us then value more the
‘ simplicity and innocence of a life so agreeable to na-
‘ ture ; and learn to consider nothing as savageness but
‘ malevolence, ignorance, and wickedness. The order of
‘ nature is wise and kind. In a conformity to it consists
‘ health and long life, grace, honour, virtue, and joy.
‘ But nature turned out of its way will always punish.
‘ The wicked shall not live out half their days. Cri-
‘ minal excesses embitter and cut short our present
‘ existence ; and the highest authority has taught us to
‘ expect, that they will not only kill the body but the
‘ soul ; and deprive it of an everlasting existence.’

The

The same writer, in his 62d page, makes the following observations :

‘ Calves are the only animals taken under our peculiar care immediately after birth ; and in consequence of our administering to them the same sort of physic that is given to infants, and treating them in other respects in the same manner, it is probable that more of them die soon after they are born than of all the other species of animals, which we see in the same circumstances. See THE COMPARATIVE VIEW OF THE STATE AND FACULTIES OF MAN WITH THOSE OF THE ANIMAL WORLD, p. 23. It is indeed melancholy to think of the havock among the human species by the unnatural customs, as well as the vices, which prevail in polished societies. I have no doubt but that the custom in particular of committing infants, as soon as born, to the care of foster mothers, destroys more lives, than the sword, famine, and pestilence, put together. The ingenious and excellent writer quoted in the last note, observes, that the whole class of diseases which arise from catching cold, are found only among the civilized part of mankind, p. 51. And concerning that loss of all our higher powers, which often attends the decline of life, and which is often humiliating to human pride, he observes, That it exhibits a scene singular in nature, and that there is greatest reason to believe that it proceeds from adventitious causes, and would not take place among us if we led natural lives.’

All wise states have guarded against luxury as a ruinous evil. At *Athens*, the court of *Areopagus* was to take care, that no person lived in idleness, and that no man carried on two employments. If a father did not take care to have his son instructed in some art, by which he might

might live, the son was not obliged to maintain the father, when past labour ^a.

It was with a view to manners, and for preventing luxury and corruption, that the wise ancients of *Athens*, *Sparta*, *Rome*, *Carthage*, &c. appointed censors, and sumptuary laws, public meals, &c.

When a country is overwhelmed by luxury, the patriot is the man, who, by his example, and by promoting good police and the execution of good laws, stems the tide of these vices. He who does other accidental services, is so far laudable; but not a patriot.

O qui vult pater urbium

Suscribi statuis, &c.

HOR.

The patriot is he who delivers his country from that which would otherwise bring certain ruin upon it.

Lycurgus allowed no strangers at *Sparta*, nor allowed the *Spartans* to travel, lest the manners of the people should be corrupted. There is reason to expect, that all wise governments should forbid their subjects coming into *England*, especially during the life of Mrs. *Cornellys*.

Valerius Maximus tells us, that an old *Roman*, on occasion of a sumptuary law, mounted the rostra, and told the people, It was time to demolish the commonwealth; since they were no longer to have the liberty of living as luxuriously as they pleased.

When the salutary *Licinian* law for restraining luxurious tables, was proposed, the people (even in the degenerate times of the *Jugurthine* war) received it before it was confirmed.

We cannot prevail with the good people of *England* to keep from eating veal and lamb in a time of scarcity, though the destruction of young animals is manifestly of prejudice to the necessary quantity of provisions.

It

^a ANT. THYS. DE REP. ATHEN. 258.

It was a good law of the Emperor *Adrian*, that he who squandered away his estate, should be publickly whipped and banished ^a.

The good Emperor *Aurelius* sold the plate, furniture, jewels, pictures, and statues of the imperial palace, to relieve the distresses of the people, occasioned by the invasion of barbarians, pestilence, famine, &c. the value of which was so great, that it maintained the war for five years, besides other inestimable expences ^b.

A law was made in the beginning of *Tiberius's* reign, That no man should disgrace his sex by wearing silk ^c.

Of such importance were the *Roman* censors, that when the office fell into desuetude for seventeen years, the consequence was, great disorders in the state ^d.

Edward King of *Portugal* proposed laws against luxury, promising, that he and his nobles would give a strict attention to their execution, by which he meant, that they would observe them. For it was a maxim of his, That whatever is amiss in the manners of the people, either proceeds from the bad example of the great, or may be cured by the good ^e.

Sumptuary laws were universal among the ancients. In *England* we should have some difficulty in procuring obedience to them; such are our *English* notions of liberty. But able statesmen know how to conquer those difficulties ^f.

Peter, to recall his subjects' deviating into luxury, just after they had emerged from barbarity, makes a public wedding at his court, to which every body was invited. The entertainment was very plain, and there were no liquors but mead and brandy. Hearing that complaints were made, he observed to them, that their
ancestors

^a ANT. UNIV. HIST. xv. 181. ^b Ibid. 217. ^c Ibid. 122.

^d Ibid. xi. 503. ^e MOD. UNIV. HIST. xxi. 135.

^f ANT. UNIV. HIST. xiii. 252.

ancestors had, for many ages, regaled on these liquors. This stopped the mouths of the *Russians*, who had often shewn, to the Emperor's no small trouble, a foolish attachment to the *bad* customs of their ancestors; but (like some other nations) were too ready to shake off the *good* ones^a.

Charlemagne made sumptuary laws to restrain the luxury of his nobility and gentry; and made use of a whimsical contrivance to shew them, that silk cloaths are not fit for men. He drew them along with him a hunting, one rainy day, through woods and rugged places; and when they returned, he permitted none of them to change their dress, saying, their cloaths would dry best on their backs by the fire, which shrivelled all their furs, torn before in the woods. He ordered them to come to court the next day in the same cloaths. When the court was full, looking round upon them, 'What a tattered company have I about me,' says he, 'while my sheep-skin cloak, which I turn this way or that, as the weather sets, is not at all the worse for yesterday's wear. For shame, learn to dress like men, and let the world judge of your ranks from your merit, not from your habit. Leave silks and finery to women, or to those days of pomp and ceremony, when robes are worn for show, and not for use^b.'

The great and good *Lewis XII* of *France*, at his accession, was attacked by the wits for his frugality. When he was told of it, he only said, 'I had rather hear my people laugh at my parsimony, than weep at my oppression^c.'

The Emperor *Maximilian II*, never purchased a jewel for himself^d.

Kong-ti,

^a MOD. UNIV. HIST. xxxv. 420.

^b Ibid. xxiii. 161.

Ibid. xxiv. 134.

^d Ibid. xxx. 86.

Kong-ti, one of the *Chinese* Emperors, demolished the imperial palace, because it was too magnificent, [and likely to effeminate the Emperors^a. *Yün-Tsong*, another of those laudable Princes, to check, by example, luxury, in his attendants, ordered all his embroidered cloaths to be publicly burnt^b.

The *Chinese* Emperor *Ching-Tsu*, about *A. D.* 1403, ordered a diamond mine to be shut up. ‘The digging up of these glittering baubles,’ says he, ‘fatigues and kills my people, and the stones they find are neither food nor clothing.’

In the war between *Ferdinand* and the *Moors*, the King’s equipage was remarkably plain. This being taken notice of to the grandees, by the Queen *Isabella*, they imitated it; and, without law, frugality prevailed by the more potent influence of fashion^d.

When the daughter of the brave Admiral *Coligni* (who was murdered on account of religion, in the horrible massacre of *St. Bartholomew*) went to be married to the Prince of *Orange*, at the *Hague*, her carriage was a covered cart, in which she sat on a board^e.

The ancient *Portuguese* would not let the banks of the golden *Tagus* be searched for that fatal metal, wisely preferring agriculture to mines^f.

It would be of great service to lay a very heavy tax on saddle-horses and carriages, kept by people for their own use. To disable nine in ten, of those who keep horses and carriages, would be a great advantage. People in middling stations would then be enabled to lay down their carriages and saddle-horses without shame,

^a *MOD. UNIV. HIST.* VIII. 442.

^b *Ibid.* 446.

^c *Ibid.* VIII. 472.

^d *Ibid.* XXI. 172.

^e *Volt. Ess. SUR L'HIST.* III. 304.

^f *ANT. UNIV. HIST.* XVIII. 467.

shame, or loss of credit. The number of horses, which at present devour the nation, would be lessened. All luxury would be diminished. For saddle-horses and carriages are connected with other expences, and must be kept up, or fall with them. Many thousands of hands would be usefully employed in agriculture and the manufactures, which are now driving people in coaches, chariots, and whiskies, to bankruptcy. The nobility and gentry would recover that superiority over the bourgeoisie, which they so much desire.

See the statutes 37 *Edw.* III. cap. 8—14. for regulating ‘the diet and apparel of servants, handicraftsmen, yeomen, their wives and children, of gentlemen under the estate of knights, of esquires of 200 mark-land, &c. their wives and children; of merchants, citizens, burghesses; of knights who have lands within the yearly value of 200 marks, and of knights and ladies, who have 400 mark-land; of several sorts of clerks; of ploughmen, and others of mean estate^a.’ And see 3 *Edw.* IV. cap. 5^b; see a proclamation by *James I.*, commanding the great men to keep to their country seats, for reviving the old *English* hospitality at the approaching *Christmas*^c; and another by *Charles I.*, *A. D.* 1632, commanding the gentry to keep their residence at their mansions in the country, and not at *London*^d.

A Duke of *Bedford* was degraded from his nobility for the smallness of his income; because it was thought, his having a title and not a suitable fortune to maintain it, might be of bad consequence^e. I think all noble persons who impoverish themselves by extravagance, ought to be degraded.

VOL. III.

H

Lord

^a STAT. AT LARGE, I. 298.^b Ibid. 609.^c ACT. REG. IV. 312.^d *Rym. FOED.* XIX. 374.^e *Blackst. COM.* I. 403.

Lord *Chesterfield*, *A. D.* 1773, left his estate to his nephew, but under the prudent restriction, that, if ever he be seen at *Newmarket* during the races, he shall forfeit 5000*l.* and the same sum for every 100*l.* lost by him at play. The Dean and Chapter of *Canterbury* to sue and apply the money to the use of that church^a.

C H A P. III.

Of the public Diversions, and of Gaming, and their Influence on Manners.

FEW things have a more direct influence upon the manners of the people, than the public diversions, and gaming. Of the former, the chief are theatrical exhibitions, which ought to be very carefully attended to by the rulers of all states. Accordingly, when *Solon* observed with how much avidity the people listened to old *Thespis*'s mean compositions, whose theatre was a cart, and who, instead of giving out tickets at so much money each, was paid with a goat given by the neighbourhood or quarter where he had entertained the people, from whence the word Tragedy (a Goat-song) was derived; *Solon*, I say, when he observed how greedily the people listened to *Thespis*'s low stuff, struck the ground with his staff, not without indignation, crying out, that he foresaw that these trifling amusements would come to be matter of great importance in life. This was thoroughly verified afterwards among both *Greeks* and *Romans*, insomuch that concerning the latter it was proverbially alleged, A *Roman* wanted nothing but bread and the *Circensian*

^a WHITEHALL EVEN. POST, *March* 27.

Circensian games. The theatre, with certain management, might undoubtedly be made a very powerful instrument for cultivating either virtue or vice in the minds of a people, as it exhibits an assemblage of what is most elegant in the fine arts, poetry, painting, music, speaking, action, &c. and as the story is drawn from what is the most striking in history and in life. It is reckoned by some, that the first dramatic pieces were written and performed as acts of religion in honour of the gods. Our modern productions have, generally speaking, as little tincture of religion as can well be imagined. And yet I must observe, to the honour of the *people*, not the *government* of our times, that scarce any age ever deserved more praise on account of the decency and chastity of its theatrical compositions, and the behaviour of the actors and actresses upon the stage, than the present, if you except the female dancers, whose immodest curvetting in the air, and exposing of their limbs as they do, are both consummately ungraceful, as every female motion, that is not gentle, and soft, and tender, like the sex, must be; but likewise shockingly offensive to modest eyes, and fatally alluring to those already familiarized to vice. This is an evil which merits reformation. But it will be much better corrected by the public disapprobation, than by law. We had a licenser of plays in the time of *Walpole*, but he only inquired, whether a new play was anti-ministerial or not. If it contained any satire on corruption, the *index expurgatorius* was applied to it by the Lord Chamberlain without mercy. So wretchedly do ministers discharge their duty; so miserably do they fill their important station.

Demosthenes severely blamed the degenerate *Athenians* for diverting the public money raised for the defence of
H 2 the

the state, to shews and plays, by which the people were enervated.

‘ A very wise man said, he believed, if a man were permitted to make all the ballads, he need not care who made the laws of a nation. The ancient legislators did not pretend to reform the manners of the people without the help of the poets^a.’

How austere must the manners of the *Romans* have originally been, which did not allow a person of character to *dance* ! It was a saying among them, *Nemo fere*, &c. ‘ No body dances unless he be either drunk or mad^b.’ The *Greeks*, however, had no objection to this art.

There must have been a considerable falling off, when *Sylla* won that popular favour by a shew of lions, which in better times he could only have obtained by substantial services^c.

The *Olympic* games are to be looked upon in a very different light from all other public diversions, shews, &c. They gave an opportunity to all persons to exhibit their skill and abilities in all the accomplishments which were esteemed in those days. They kept up a laudable emulation to excel ; for, a prize gained on account of the meanest accomplishment, as swiftness of foot, for instance, was a matter of great honour, as a man’s being victor in that contest, supposed him to be a better runner than any other within the *Olympian*, *Nemæan*, *Elean*, or *Isthmian* circles. The contests were also useful for keeping up in the people a pleasure in manly and warlike exercises, which was absolutely necessary

^a *Fletcher*, p. 372.

^b See *Cicero*’s ORATION in defence of a man of consular rank accused of the crime of dancing.

^c ANT. UNIV. HIST. XIII. 33.

necessary in those times, when personal valour was of such consequence, which now is nothing, since the art of war has, by the invention of gun-powder, been wholly changed^a.

The combats of *Athletæ* were first introduced at *Rome* when the manners of the people were considerably corrupted, of which these diversions, with the shows of gladiators and the like, were the causes and symptoms^b.

As for these last, which prevailed more and more as the manners degenerated more, they are a disgrace to human nature, and only *Milton's* devils^c ought to be capable of being diverted with the sight of men tormenting, cutting with swords, tearing to pieces by wild beasts, and destroying their wretched fellow-creatures. The government which suffered such abominations to prevail for so many ages, must have been very barbarous. For it is not necessary, in order to make a people martial and brave, to make them infernal furies.

We find, that players, on account of their debauchery, were banished from *Italy* in the debauched times of *Tiberius*^d; and that games of hazard, and concerts of music, were forbidden^e. It is not known what the harm of those musical entertainments might be. Perhaps they were of the same kind with the music-houses in *Holland*, which are public brothels.

H 3

Antoninus

^a See the learned account of the *Olympic* games, prefixed by my late esteemed friend *Gilbert West*, Esq; to his TRANSLATION OF PINDAR.

^b ANT. UNIV. HIST. XII. 354.

^c Referring to the poet's account of the diversions with which the dæmons amused themselves during *Satan's* absence. PARAD. LOST, Book II.

^d ANT. UNIV. HIST. XIV. 184.

^e Ibid. XII. 450.

Antoninus led a private life in the imperial court of *Rome*^a. *Aurelius* hated the public diversions, and talked with his ministers about the public business the whole time of his attending them^b. *Constantine* put a stop to the shows of gladiators^c. The Emperor *Honorius* totally abolished the shows of gladiators^d.

A motion was made, *A. D.* 1735, in parliament, for restraining the number of playhouses^e. It was observed, that there were then in *London*, the opera-house, the *French* playhouse in the *Haymarket*, and the theatres in *Covent-Garden*, *Drury-lane*, *Lincoln's-inn-fields*, and *Goodman's-fields*; and that it was no less surprising than shameful to see so great a change for the worse in the temper and inclinations of the *British* nation, who were now so extravagantly addicted to lewd and idle diversions, that the number of playhouses in *London* was double to that of *Paris*. That we now exceeded in levity even the *French* themselves, from whom we learned these and many other ridiculous customs, as much unsuitable to the manners of an *Englishman* or a *Scot*, as they were agreeable to the air and levity of a *Monsieur*: That it was astonishing to all *Europe*, that *Italian* eunuchs and singers should have set salaries equal to those of the lords of the treasury, and judges of *England*. After this it was ordered, *nem. con.* that a bill be brought in, pursuant to Sir *John Barnard's* motion, which was done accordingly: but it was afterwards dropt, on account of a clause offered to be inserted in the said bill, for enlarging the power of the lord chamberlain, with regard to the licensing of plays.

Plays

^a ANT. UNIV. HIST. xv. 197.

^b Ibid. 209.

^c Ibid. 581.

^d Ibid. xvi. 492.

^e DEB. COM. ix. 93.

Plays and other public diversions were stopped by parliament, *A. D.* 1647, for half a year. Several lords protested because it was not for perpetuity^a.

Petitions were presented, *A. D.* 1738, from the city, university, and merchants of *Edinburgh*, against licensing a playhouse^b.

The reader sees, that, though I have mentioned the entertainments of the theatre among those abuses of our times, of which this work exhibits a general survey; I have not absolutely condemned them: on the contrary, I have confessed the use, which a set of able statesmen might make of them in reforming and improving the manners of the people: the particulars of which I leave to be found and applied by men of wisdom and of public spirit.

The most fashionable of all diversions in our time, is masquerading; on which I have a few thoughts to offer.

Shame is the most powerful restraint from bad actions. To put on a mask is to put off shame. And what is a human character without shame?

It was observed long ago by the excellent *Tillotson*, on another account, that the people of *England* are but too tractable in imitating some of their worst neighbours in some of their worst customs. The *French* taught us masquerading, which has been an amusement of that fantastical people ever since the days of *Charles VI*, if not earlier. For in his time there was exhibited a most dreadful scene of that kind, which, one would have expected to cool a little their eagerness for masquerades ever after. The king and five of the court, on occasion of a marriage, disguised themselves like satyrs, by covering their naked bodies with linen

H 4

habits,

^a PARL. HIST. XVI. 112.

^b DEB. COM. x. 9.

habits, close to their limbs, which habits were bedaubed with rosin, on which down was stuck. One of the company, in a frolick, running a light against one of them, as they were dancing in a ring, all the six were instantly enveloped with flames, and the whole company in a consternation, lest the fire should be communicated to all. Nothing was to be seen or heard but flames and screams. Four of the six died two days after, in cruel agonies; and the King, who was subject to a weakness of brain, was overset by the fright, so that he was ever after outrageous by fits, and incapable of government.

There are few entertainments more unmeaning, to say the least, than masquerades. For the whole *innocent* pleasure of them must consist in the ready and brilliant wit of the masks, suitable to the characters they assume. But it cannot be supposed, that among a thousand people, there are fifty persons capable of entertaining by the readiness of their wit, and their judgment in sustaining assumed characters. Accordingly we hear of much stupidity played off on those occasions; and yet the rage after them continues. Wit must indeed be at a low ebb, when it is thought witty for a nobleman to assume at a masquerade the dress of a turkey-cock. This piece of wit, I am informed, was really exhibited at a late masquerade at Mrs. *Cornellys's*. As we know of nothing characteristical in a real turkey-cock, but his gabbling, it is not easy to imagine what entertainment a man of quality should propose to give a company by assuming that character. If he had taken the likeness of a rook, he might have been a visible satire on gamesters, placemen, &c. if that of an owl, he might have said he was a deep statesman; or if he chose a quadrupedal transformation, as that of an ass, for instance, or of a stag, a bull, or any of the horned fraternity, he might have told those who questioned him,

hsm, that he was their representative in parliament, &c. Observing the frequency of violated marriage-beds of late years, and the frequent celebrations of masquerades, it requires a considerable stretch of charity to avoid suspecting a connexion between masquerading and intriguing, which may account for the eagerness shewn by the quality for that species of diversion, in direct opposition to the known disapprobation of both King and Queen; no great proof of politeness in our courtiers.

‘ Masquerades (says Mr. *Gordon*^a) are a market for
‘ maidenheads and adultery, a dangerous luxury oppo-
‘ site to virtue and liberty. There was something like
‘ them formerly in the reigns of our worst Princes, by
‘ the name of masks. As the present reign resembles
‘ these in nothing else, so neither would I have it re-
‘ semble them in this. They were revived, or rather
‘ introduced, after the *French* way, by a foreign ambassa-
‘ dor, whose only errand then in *England* could be but
‘ to corrupt and enslave us, and for that end this mad
‘ and indecent diversion was practised and exhibited by
‘ him, as a popular engine to catch loose minds, or to
‘ make them so with great success. What good pur-
‘ pose they can serve now, I would be glad to know:
‘ The mischief of them is manifest both to public
‘ and private persons; a handle is taken from them to
‘ traduce some great characters, whom I would have
‘ always revered; and they are visibly an oppor-
‘ tunity and invitation to lewdness. If people will
‘ have amusements, let them have warrantable and de-
‘ cent ones; as to masquerades, they are so much the
‘ school of vice, that excepting a law to declare it
‘ innocent and safe, I question whether human inven-
‘ tion

^a TRACTS, I. 325.

' tion can contrive a more successful method of propa-
 ' gating it. The practice of the commonalty is
 ' formed upon the example of the great, and what the
 ' latter do the former think they may do. If a city
 ' wife has it in her head against her husband's inclina-
 ' tions, to take the pleasures of the masquerade, she has
 ' but to tell him, that my Lady Dutchess ——— is to
 ' be there (no doubt upon the same errand), and the
 ' poor, sober, saving man must submit, and be content
 ' to be in the class of his betters. From this source of
 ' prostitution, I fear many a worthy man takes to his
 ' arms a tainted and vicious wife, and finds in her a
 ' melancholy reason both, for himself and his posterity,
 ' to curse and detest masquerades and all those that
 ' encourage them.

Severe and cutting is Mr. *Gordon's* remonstrance to
Sherlock Bishop of *London*^a, on his lordship's politeness
 in passing over masquerades, when enumerating, in his
 LETTER ON OCCASION OF THE EARTHQUAKES,
A. D. 1750, the national vices, which those awful phæ-
 nomena suggested the necessity of reforming.

' You come, my lord,' says he, ' in all humility,
 ' not as our accuser, but as our faithful servant and
 ' monitor in Jesus Christ, and tell us, that your
 ' heart's desire and prayer to God is for us, that we
 ' may be saved. Whom do you mean to save, my
 ' good lord? Those who frequent plays, operas, music,
 ' dancings, gardens, cock-fighting, and prize-fighting?
 ' And why not those who frequent masquerades and
 ' *Venetian* balls? Surely your lordship cannot be a
 ' stranger to the frequent legal presentments, which,
 ' founded on the declared sense of all sober men, have
 ' stigmatized these dissolute assemblies with the severest
 ' public

^a *Gord.* TRACTS, II. 268.

‘ public censure ; nor can you be ignorant, that *Venetian*
‘ balls, in their own native soil, exhibit on occasion, the
‘ most various scenes of exaggerated lewdness, which
‘ that most lewd and effeminate of all regions, *Italy*,
‘ can produce ? Or did you, in the innocence of your
‘ heart, take it for granted, that our imitations of these
‘ balls were so purified by the presence of the greatest,
‘ as to make you fear the censure of uncharitableness,
‘ at least of indelicacy, had they been included in
‘ your black catalogue of sinful recreations ? Who
‘ knows, my lord, that your courtly omission of this
‘ new imported diversion, has not been the means of
‘ sanctifying its further use ; for the very next day after
‘ the expected earthquake, I observed one of these *Ve-*
‘ *netian* balls advertised in the public papers, as the
‘ first place for our affrighted countrymen to assemble
‘ and rejoice in after the dissipation of their fears.’

A certain late king was fond to distraction of masquerading. And he set before his people another execrable example, viz. the violation of the matrimonial vow.

His present majesty, whom God preserve, has acted a contrary part in both respects. This, however, is no comparison between them as kings ; but as men only ; and I mention it merely to introduce the following anecdote, which ought to be kept in remembrance.

A grand masquerade was given out in the last reign for a certain evening. Some well-disposed persons, taking into consideration the mischievous tendency of those diversions, ordered hand-bills to be scattered about the streets, advising the ladies to keep at home ; for that the people, displeased with the indecency of masquerades, had determined to prevent any of the fair sex from going, and that there would probably be mobbing and quarrelling in the streets. Whether there was any thing more in this, than that those gentlemen

hoped to intimidate the ladies, and keep them at home, I never learned. But, rather than the court should lose the night's entertainment, a very great commander gave notice that he would order out a sufficient body of the military to keep the peace; so that the ladies might go to the virtuous rendezvous without fear of interruption from the people. This was making our standing army useful.

At the marriage of *Tamerlane's* grand-children, the people assembled were allowed, by the emperor's proclamation, to pursue whatever pleasures they thought fit, and no one was to hinder another. It is to be expected, that we shall soon have masquerades at Mrs.—'s established on this very foot^a. The following paragraph gives an abridged account of a late celebration of that kind.

'Such a scene of ebriety was exhibited last masquerade, and the behaviour of the women of the town, and of the bucks of dissipation, so shocking, it is hoped, the enormity of it will occasion the total abolition of those abandoned nightly orgies^b.'

We always begin our pretended reformations of manners at the wrong end. Instead of making laws to restrain the lower people, our rulers ought to shew them by their example how they ought to behave. Here follows the preamble to an act, which might have been intitled, An Act to make the lower people better than their betters. The multitude of places of entertainment for the higher sort of people is a great evil, as well as those for the lower. The thefts and robberies committed by statesmen are more mischievous than the petty larceny of the lower people.

'Whereas

^a MOD. UNIV. HIST. VI. 362.

^b WHITEHALL EVEN. POST, May 1, 1773.

‘Whereas the multitude of places of entertainment for the lower sort of people is a great cause of thefts and robberies, as they are thereby tempted to spend their small substance in riotous pleasures, and in consequence are put on unlawful methods of supplying their wants, and renewing their pleasures, &c.’ Preamble to the act 25 *Geo. II.* for preventing thefts and robberies, and for regulating places of public entertainment, and punishing persons keeping disorderly houses^a.

The oldest accounts we have of diversions bearing any resemblance to masquerades, and from whence the hint may have been taken, are, perhaps, those of the nightly orgies upon mount *Cithæron*, the mysteries of the *Bona Dea*, and the like, which were established in honour of sundry gods and goddesses. Their being concealed under cloud of night, and the secrecy observed with respect to the transactions carried on in some of them, give them a suspicious air, which increases the resemblance which our masquerades bear to them. I wish some of our learned antiquaries would inquire, whether the *Bona Dea* was not an ancestor of our famous Mrs. *Cornellys* *. It is true, that the mysteries of

^a STAT. AT LARGE, IX. 109.

* Let this page immortalize the genius of this wonderful outlandish old woman, who by dint of a knack she has at sticking up lamps against a wainscot, in the shape of fans, bodkins, scissars, and the like, and of ranging cakes and sugar-plums upon the shelves of a lacquered cupboard, has for several years so drained our nobility and gentry, that they cannot pay off their playhouse scores, their *Newmarket* scores, nor their milk scores. Her custom is to stick up her lamps, and range her cakes in a certain set of shapes, (very fine, you may be sure) and next day after she has drawn together all the people of taste to see them, at

of the *Bona Dea* are commonly reckoned to have been celebrated by women exclusively, while the manager of the heightened pleasures of the *English* admits a mixture of both sexes. But it is not certain, that many of the figures, which passed for females, were not in reality of the other sex in disguise, as it is not certain, that many of the virtuous-seeming ladies at our masquerades, are not rampant wh—s in disguise.

Mrs. *Cornellys* was indicted before the grand jury, *A. D.* 1771, for keeping a common disorderly house, and permitting divers loose, idle, and disorderly persons, both men and women [of quality], to be, and remain in her house the whole night, rioting, and otherwise misbehaving themselves; that she kept public masquerades without licence, and received and harboured loose and disorderly persons [of quality] in masks, with great noise and tumult, &c.^a

There was a masquerade in *Scotland*, *A. D.* 1773, the very year in which almost all credit in that country

the expence of 20,000 *l.* she asks pardon in the news-papers, that her show was not so fine as it ought to have been, and humbly begs the favour of their lordships and ladyships to come such a night, and they shall see what they shall see. They all go accordingly, over and over as often as she changes her lamps and her cakes, as it costs them nothing but their expences; and the outlandish old woman acts the part of the money-taker, and sweeps together the guineas. But, whatever may be the matter, whether her œconomy is bad, or that money gotten in such a way does not wear well, she not only sends many to the spunging-house, but is often obliged to take a night's lodging there herself.

——dii talem terris avertite pestem. VIRG.

^a LOND. MAG. Feb. 1771, p. 109.

try was overthrown^a; and the same diversions have been exhibited at *Southampton, Brighthelmstone, Margate, &c.* Such is the power of example, and so true the old adage,

One fool makes many

As four farthings make a penny.

‘Those are puny politicians, says *Bolingbroke*^b, who
‘attack a people’s liberty directly. The means are
‘dangerous, and the success precarious. Notions of
‘liberty are interwoven with our very being, and the
‘least suspicion of its being in danger, fires the soul
‘with a generous indignation. But he is the states-
‘man formed for ruin and destruction, whose wily
‘head knows how to disguise the fatal hook with baits
‘of pleasure, which his artful ambition dispenses with
‘a lavish hand, and makes himself popular in undoing.
‘Thus are the easy thoughtless people made the in-
‘struments of their own slavery; nor do they know,
‘that the fatal mine is laid, till they feel the pile come
‘tumbling on their heads. This is the finished poli-
‘tician, the darling son of *Machiavel*.—Masquerades,
‘with all the other elegancies of a wanton age, are
‘much less to be regarded for their expence, (great as
‘it is) than for the tendency they have to deprave our
‘manners.’

As to gaming, I cannot say, that ever I have heard
a tolerable apology for it upon the score of morality,
or common honesty. Is it not literally obtaining mo-
ney upon false pretences, and without a *valuable* confi-
deration, when I draw 100 guineas out of my neigh-
bour’s pocket, for which I give him nothing, but vex-
ation and repentance? And does not every body know,
that obtaining money, or goods, upon false pretences,
is punishable by law, as much as theft or robbery?

This

^a WHITEHALL EVEN. POST, *Jan.* 21. 1773.

^b POLITICAL TRACTS, 76.

This is exclusive of the loss of time, the inflaming of passion, often producing quarrels and murders, the endangering of chastity, (for it is alleged, that the ladies do often pay with their persons what they cannot with their purses) the destruction of fortunes, often ending in despair and self-murder. It is strange, that our nobility and gentry cannot be diverted at a rate somewhat cheaper than all this. How can a person of quality bear to think of himself as guilty of what would send him to *Newgate*, if he were not above law? Nobility of rank ought to suggest the necessity of *acting* in a *noble* manner. The man is what his *actions* (not his *birth* and *rank*) make him. A man of noble birth acting in a mean and fordid manner, is only the *more* mean and fordid, because he sinks below what was to have been *expected* of him. Add, that the vices of a person of rank are incomparably more criminal than those of the common people; because his example draws the multitude into guilt, and he becomes answerable for their offences. Our nobility and gentry, so far from attending to these considerations, are the great leaders of the people into this ruinous vice. Besides, the example they exhibit of an endless attachment to carding, rooking, cocking, racing, pitting, gambling, jobbing, they have introduced gaming into their system of politics, and a pack of cards is become an engine powerful enough to overthrow a kingdom.

An anonymous speaker in the House of Commons, *A. D.* 1754, on occasion of a lottery proposed by the ministry, argued as follows:

‘ The mortal disease of the present generation is well
‘ known to be the love of gaming; a desire to emerge
‘ into sudden riches; a disposition to stake the future
‘ against the present, and commit their fortunes, them-
‘ selves, and their posterity to chance. The conse-
‘ quence

‘ quence of this pernicious passion is hourly seen in
‘ the distress of individuals, the ruin of families, the
‘ extravagance and luxury of the successful, and rage
‘ and fraud of them that miscarry; this therefore is the
‘ vice, at least one of the vices, against which the whole
‘ artillery of power should be employed. From gam-
‘ ing, the people should be dissuaded by instruction,
‘ withdrawn by example, and deterred by punishment.
‘ To game, whether with or without good fortune,
‘ should be made ignominious; he that grows rich by
‘ it ought to be deemed as a robber, and he that is im-
‘ poverished as a murderer of himself. Yet, what are
‘ the men entrusted with the administration of the pub-
‘ lic now proposing? What but to increase this lust
‘ of irregular acquisition, and to invite the whole na-
‘ tion to a practice which the laws condemn, which
‘ policy disapproves, and which morality abhors? For
‘ what is a lottery but a game? The persons, who
‘ risque their money in lotteries, are I believe for the
‘ most part the needy or extravagant; those whom mi-
‘ sery makes adventurers, or expence makes greedy.
‘ And of these the needy are often ruined by their loss,
‘ and the luxurious by their gain. He, whose little
‘ trade, industriously pursued, would find bread for his
‘ family, diminishes his stock to buy a ticket, and waits
‘ with impatience for the hour which shall determine
‘ his lot; a blank destroys all his hopes, and he sinks
‘ at once into negligence and idleness. The spend-
‘ thrift, if he miscarries, is not reclaimed; but if he
‘ succeeds, is confirmed in his extravagance, by find-
‘ ing that his wants, however multiplied, may be so
‘ easily supplied. It is universally allowed that reward
‘ should be given only to merit, and that as far as hu-
‘ man power can provide, every man’s condition should
‘ be regulated by his merit. This is the great end of

‘ established government, which lotteries seem purpose-
‘ ly contrived to counteract. In a lottery the good and
‘ bad, the worthless and the valuable, the stupid and
‘ the wise, have all the same chance of profit. That
‘ wealth which ought only to be the reward of honest
‘ industry, will fall to the lot of the drone, whose whole
‘ merit is to pay his stake, and dream of his ticket.

‘ With indignation it was observed, that no less than
‘ two lotteries in one year, (*A. D.* 1763,) were now,
‘ for the first time, without any urgent necessity, to
‘ be established in the days of peace, to the encourage-
‘ ment of the pernicious spirit of gaming, which can-
‘ not be too much discountenanced by every state that
‘ is governed by wisdom, and a regard for the morals
‘ of the people^a.

‘ Gaming is so dreadful a vice (says Mr. Gordon^b,)
‘ especially in those who are any way intrusted with our
‘ liberties, that I cannot pass it over in silence. A man
‘ who will venture his estate, will venture his country.
‘ He who is mad enough to commit his all to the
‘ chance of a dye, is like to prove but a faithless guar-
‘ dian of the public, in which he has perhaps no longer
‘ any stake. It is a jest, and something worse, in a
‘ man who flings away his fortune this way, to pretend
‘ any regard for the good of mankind. His actions
‘ give his words the lie. He sacrifices his own happi-
‘ ness, and that of his family and posterity to a sharper,
‘ or an amusement, and by doing it, shews that he is
‘ utterly destitute of common prudence, and natural
‘ affection; and on the contrary, an encourager and
‘ example of the most destructive corruption; and after
‘ all this, ridiculously talks of his zeal for his country,
‘ which consists in good sense and virtue, joined to a
‘ tenderness

^a *Speech in Parliament, Alm. Deb. Com. vi. 198.*

^b *TRACTS, I. 325.*

‘tendernefs for one’s fellow-creatures. When he has
 ‘wantonly reduced himfelf to a morfel of bread, he
 ‘will be eafily perfuaded to forfake his wretchednefs,
 ‘and accept of a bribe. Who would truft their pro-
 ‘perty with one who cannot keep his own? The
 ‘fame vicious imbecillity of mind, which makes a man
 ‘a fool to himfelf, will make him a knave to other
 ‘people. So that this wicked proneneſs to play, which
 ‘is only the impious art of undoing or being undone,
 ‘cuts off every man who is poſſeſſed with it, from all
 ‘pretence either to honeſty or capacity. I doubt *Eng-*
 ‘*land* has paid dear for ſuch extravagances. A law-
 ‘maker, who is at the ſame time a gameſter, is a cha-
 ‘racter big with abſurdity and danger. I wiſh that in
 ‘every member of either houſe, gaming were attended
 ‘with expulſion and degradation; and in every officer,
 ‘civil or military, with the loſs of his place. A law
 ‘enjoining this penalty would be effectual, and no
 ‘other can.’

One of the greateſt miſchiefs of gaming is, that the
 gameſter, like the dropſical patient, becomes more and
 more attached to it.

The ancient *Germans* became at laſt ſo bewitched to
 gaming, that they would play for their liberty, which
 liberty they yet valued ſo much, that they would ſooner
 die, than ſuffer it to be taken from them^a.

It is common among us for a gentleman to fit down
 in eaſy circumſtances, and riſe a beggar. But among
 thoſe fooliſh people, it was common for the men to
 fit down free, and riſe ſlaves for life. That was a
 wretched government, which allowed ſuch proceed-
 ings.

Cafimir II. of Poland, when he was prince of *San-*
demir, won a conſiderable ſum of a nobleman, with

^a ANT. UNIV. HIST. XIX. 42.

whom he was at play. The nobleman, fretted at his loss, struck the prince, and immediately fled. He was apprehended, and condemned to death. But *Casimir* would not suffer the sentence to be executed. It was no wonder, he said, that the nobleman, losing his money, and enraged against Fortune, whom he could not come at, should revenge himself on her favourite. He owned, that he himself was most to blame for encouraging gaming by his example. He restored the nobleman his money ^a.

Mohammed forbid gaming and drinking ^b. *Henry IV.* of *France*, 'had a great passion for play, which had 'terrible consequences, as it rendered this destructive 'vice fashionable, which is alone sufficient to throw a 'kingdom into confusion ^c.' *John I.* king of *Portugal* used to say, 'conversation was the cheapest of all 'diversions, and the most improving ^d.' Cards have destroyed all conversation in *England*. Our quality shew so little natural affection, and so much delight in gaming, that there is reason to expect they will soon, like the *Tonkinese* in *India*, play away their wives and children ^e. The rage of gaming has indeed changed our great folks into another species of beings than those who filled that station last century. A ruffian lord, who will make no hesitation to bribe, and (for ought he knows) damn hundreds of electors, makes a point of paying his game debts, though it be penal by law; and yet will cheat and abuse an industrious tradesman for asking a debt due for necessaries; just to sharpers, who ruin him; unjust to honest men, who feed and clothe him.

The

^a MOD. UNIV. HIST. xxiv. 90.

^b Ibid. xviii. 413.

^c Ibid. xxxiv. 436. ^d Ibid. xxii. 126. ^e Ibid. vii. 463.

The excellent *Gordon* thus exposes the mischiefs arising from the example of the *great* encouraging this ruinous vice, at the same time that the laws (made by the *great*) point their vengeance against it.

Ridicule and contempt have been cast on the laws, and principally by those whose influence and power should have given them countenance and effect: the recent prohibition of gaming, calculated to extirpate that offspring of avarice, that parent of selfishness, that enemy to humanity, compunction, and every social virtue, has been shamefully baffled by the shelter afforded to that enormity, under the privileged roofs of the great, and met with an open and contumelious disregard from personages invested with the most sacred ensigns of authority, in places of public resort among the gay, the giddy, and the young, where the native allurements of vice have long been too prevalent to want aid and encouragement from such venerable and powerful auxiliaries: the flagrant example of those in high station, has necessarily extended its pernicious effects to the lowest; then who has most right to complain either to God or man, a people abandoned by their superiors to corruption, or those who have encouraged the example of profligacy to complain of the people? Severity and decency of manners in high life, would command a similar behaviour in the multitude; a strict execution of the laws would come in aid; since the virtuous great must know, that the due exertion of the legal power is a principal part of their duty: Idleness, debauchery, and wanton recreations, would not then have a being among us, to become the objects of animadversions and censure, which leaving the fountain-head of vice untouched, and attempting the impracticable task of restraining the torrent at a distance

from its source ; most clearly denote the *parade* of reformation, without the *reality*, or even the *intention* ^a.

‘ *Si vous supposez, &c.* Reckoning in *Paris* 2000 persons, who lose every day three hours each at play, the number of lost hours in a day is 6000, which, employed usefully, would be worth to individuals and the state more than 1000 livres a day, or 365,000 livres a year. If you estimate *Paris* to be a seventh part of the kingdom, this loss amounts to 7,300,000 livres a year ^b, which at 10 d. $\frac{1}{2}$ per livre, is about 304,513 l. 1 s. *English* money lost annually by the whole people of *France* by gaming, and nothing got, but anger, quarrels, and duels.

Our ancestors have not overlooked the dangerous vice of gaming. By 2 and 3 *Philip* and *Mary*, all licences for carrying on unlawful games are to be void ^c.

See an act for preventing excessive and deceitful gaming ^d; and a bill to restrain the excessive increase of horse-races ^e; and another for preventing wagers about public affairs. Designing men injured the unwary, and many kept up unlawful correspondences on purpose to win wagers ^f.

James I. granted power to the groom-porter to licence a certain limited number of taverns, in which cards and dice might be played, and a certain number of bowling allies, tennis-courts, &c. in *London* and its neighbourhood ^g.

‘Whereas

^a *Gord. TRACTS*, II. 269.

^b *S. Pierre OUVR. POLIT.* X. 326.

^c *STAT. AT LARGE*, II. 121.

^d *DEB. COM.* X. 13

^e *Ibid.* XI. 296.

^f *Tind. CONTIN.* II. 118.

^g *Andersf. HIST. COM.* II. 5.

‘Whereas lawful games and exercises should not be
 ‘otherwise used, than as innocent and moderate re-
 ‘creations, and not as trades or callings to get a living,
 ‘or to make unlawful advantage thereby; and where-
 ‘as by the immoderate use of them, many mischiefs
 ‘and inconveniencies do arise, and are daily found, to
 ‘the maintaining and encouraging of sundry idle, loose,
 ‘and disorderly persons, in their dishonest, lewd, and
 ‘dissolute course of life, and to the circumventing, de-
 ‘ceiving, cozening, and debauching many of the
 ‘younger sort both of the nobility and gentry, to the
 ‘loss of their precious time, the utter ruin of their
 ‘estates and fortunes, and withdrawing them from no-
 ‘ble and laudable employments: be it therefore enac-
 ‘ted, &c.’ Preamble to the statute 16 *Charles II.*
cap. 7^a. It enacts, among other things, that no game
 debt shall be recoverable by law; and that the winner
 shall forfeit treble the sum won by him at play.

An Act, *A. D.* 1657, for punishing persons who
 live at high rates, and have no visible estate, pro-
 fession or calling answerable thereunto ^b.

By 18 *Geo. II.* *cap. 34.* restraints are laid on several
 games; the sums, which may be played for at one
 time, are limited; offenders discovering others, are
 discharged, &c ^c. But what do laws avail against the
 example of the law-makers themselves?

CHAP. IV.

Of Duels.

OUR laws forbid *murder*: our manners legitimate
duelling.

I. 4

In

^a STAT. AT LARGE, II. 655.

^b WHITEL. MEM. 662.

^c STAT. AT LARGE, VIII. 181.

‘ In deliberate duelling, says the admirable *Black-*
‘ *stone*^a, both parties meet avowedly with an intent to
‘ murder; thinking it their duty as gentlemen, and
‘ claiming it as their right, to wanton with their own
‘ lives, and those of their fellow-creatures, without any
‘ warrant or authority from any power, either divine or
‘ human, but in direct contradiction to the laws both
‘ of God and man; and therefore the law has justly
‘ fixed the crime and punishment of murder on them,
‘ and on their seconds. Yet it requires such a degree
‘ of passive valour to combat the dread of even unde-
‘ served contempt, arising from the false notions of ho-
‘ nour too generally received in *Europe*, that the
‘ strongest prohibitions and penalties will never be
‘ entirely effectual to eradicate this unhappy custom,
‘ till a method be found out of compelling the original
‘ aggressor, to make some other satisfaction to the
‘ affronted party, which the world shall esteem equally
‘ reputable as that which is now given at the hazard
‘ of the life and fortune, as well of the person insulted,
‘ as of him, who hath given the insult.’

The *abbe S. Pierre* insists^b, that ‘ it is cruel and un-
‘ just to punish with loss of fortune and life an un-
‘ happy man, who cannot obey the law [that is, can-
‘ not refuse a challenge] without infamy and disgrace;
‘ as the law of nature, on the other hand, enjoins him
‘ never to dishonour himself, and to prefer death to in-
‘ famy. *Je soutiens qu’il est cruel, &c.*’ The *abbé*
therefore proposes, that there be a military academy
established, before which all differences between gen-
tlemen, on points of honour, shall be decided.

The same author proposes^c that a solemn oath be
administered to every officer, on receiving his commis-
sion,

^a COMM. IV. 129.

^b OEUVR. POLIT. VIII. 240.

^c Ibid, x. 53.

sion, by which he should abjure duelling, and promise to discover all such designs among his acquaintance. Were duelling left off among officers, it would soon become unfashionable every where else. These are some of the advantages we gain by our standing army. They teach us, that it is polite to lie with other men's wives, to debauch innocent virgins, and to murder one another about points of honour.

Though challenging in consequence of an insult upon a person's honour, or what is so called, is a very ancient custom, it is not easy to explain the *reasonableness* of the practice. A person has injured me. The laws of my country give me no redress. (A most scandalous deficiency on the part of government!) To endeavour to avenge myself, and to vindicate my violated honour by an attack upon him, is natural, though not magnanimous, nor christian. But because a person has slightly injured me, am I to give him a chance for doing me an infinitely greater injury? Here, then, comes in, I suppose, the pretence, that a duel is an appeal to providence, as if it were certain, that providence would give success to the party who has the right on his side. But who has told our duellists, that providence will certainly give success to him, who seeks to shed the blood of his fellow-creature, *cold*, in defence of the virtue of a wh—— or of the honour of a liar, or even in defence of the chastity of a really virtuous woman, or of the honour of him, who has spoken the truth? We know, that scripture represents the present as a state of discipline, not of retribution, and expressly warns us against rash conclusions concerning the different lots of men in this life. And where else our duellists should find their doctrine, of certain success to him who has the right on his side, I cannot imagine. For experience shews, that in duels

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the

the best swordsman, or best marksman has the best prospect of victory; as in war, generally speaking, the ablest general, and best appointed army, gain the victory.

The grand plea for duelling is, that he, who refuses a challenge, is presently set down for a coward. And who can bear to be thought a coward? But it is very easy to escape the imputation of cowardice, and yet refuse a challenge. A hot-headed young officer sends a challenge to a gentleman, no matter whether in the army or not. The gentleman directly refuses the challenge upon principle. The officer posts him for a coward. He posts the officer for a liar. The officer must not bear this. He attacks the gentleman. The gentleman defends himself, which he has a right to do against any ruffian. He, being cool, and the officer worked up to rage, it is natural to expect victory to declare herself on his side in the scuffle. And as the officer must use no weapon, but a cane, unless the gentleman draws upon him, which he is not, by any law of honour, obliged to; there is no great danger of murder on either side. And at the same time the gentleman's honour and courage are as effectually cleared before the public, as if he had fought the officer with twenty different mortal weapons.

Conquest in single combat is no more a proof, which party was in the right, than the old superstition of trial by fire ordeal, &c.

It would not be cowardice in an officer to refuse to hazard his life, by going to sea in an open boat, by encountering a wild beast, &c. for a sum of 20 or 30 guineas. Therefore it is not always cowardice in an officer to shew a due care for his life. If one officer owed another a large sum, and the debtor proposed to try by duel, whether he should pay it or not, who would

would call the creditor a coward for refusing so ridiculous a challenge^a?

In the affair between lord *Rea* and *Ramsay* an officer, it was declared, that the sending of a challenge is a presumption of guilt.

The rule, that every man who refuses a challenge, must be a coward, is very disputable. A man may refuse a challenge, not because he fears his fellow-creature, or is afraid to die; but because he fears the Almighty, and does not choose to hazard damnation for the sake of preserving the good opinion of the ladies.

This rule is of modern date. The ancients did not pronounce every man a coward who refused a challenge.

The ancient *Greeks* and *Romans*, the models of courage to all ages and nations, attached the idea of courage and cowardice to a man's readiness or reluctance to fight the enemies of his country, not to his shedding the blood of his countrymen. Highwaymen often shew great intrepidity.

Pyrrhus challenged *Antigonus* to fight him for the kingdom of *Macedon*. *Antigonus* declined the challenge. Yet we do not find the ancients have branded *Antigonus* for a coward.

Marius, challenged to single combat, flatly refuses. Yet nobody has ever thought of branding *Marius* with the name of coward^c.

The Duke of *Orleans* challenged *Henry* to single combat, or with 100 knights each side. *Henry* answers, that he cannot as a king accept a challenge from any subject; but that a time might probably come, when
they

^a *S. Pierre*, OEUVR. POLIT. X. 12.

^b *Whitel*. MEM. 16.

^c *ANT. UNIV. HIST.* XIII. 13.

they might measure swords in battle. The Duke of *Orleans* sends a bitter answer, calling *Henry* traitor, usurper, and murderer of his king. *Henry*, in return, gives him the lie in form; and charges him with sorcery, by which he had thrown his father, the *French* king, into his present distemper. *Henry* complains to the ambassador, but in vain^a.

We have in history the famous challenge between *Edward III* of *England*, and *Philip de Valois* of *France*; which certainly produced no fight. Yet neither of those princes is accounted a coward.

Lewis VI of *France* challenged *Henry I* of *England*, to single combat^b. *Henry* laughed at the challenge. Yet nobody, even in *our times*, thinks him a coward.

Henry II of *France*, permitted a duel in his presence between two of his lords, about a love affair. The conquered would not suffer his wounds to be dressed; and accordingly died. The king vowed to suffer no more duelling^c.

Christian IV was challenged by *Charles IV* of *Sweden*, *A. D.* 1612. Refused. Yet not thought a coward^d.

Francis's sending *Charles V* a challenge^e, promoted the folly of duelling so much, that war itself hardly made more havock of the species. Yet *Charles* did not accept the challenge. Therefore those who did accept challenges, did not imitate the Emperor; nor did the example of that affair render it necessary to accept challenges; for the hot-brained fools saw, that the Emperor was not reckoned a coward, though he declined.

The lie direct was given by *Francis* of *France* to
Charles

^a *Rap.* i. 493.

^b *MOD. UNIV. HIST.* xxiii. 298. ^c *Ibid.* xxiv. 199.

^d *Ibid.* xxxii. 456.

^e *Robert's.* CH. V. 11. 302.

Charles V. on which *Charles* sends the *French* king a challenge. But still there was no duel fought.

Among the *Turks*, the *Chinese*, and the *Persians*, it is no disgrace for an officer to refuse a challenge, and to submit the punishment of any one who has insulted him, to his superior. On the contrary, his regularity of conduct, and his prudence are honoured. *Nul officier n' est deshonoré, &c* ^a.

The *Czarina* thinks all deliberate offences ought to be punishable by law, from treason down to the slightest injury or affront to an individual ^b. If that were the case, there would be no pretence for duels, as now there is. And therefore that when a duel is fought, the challenger only, and not the acceptor, ought to be punished; because the latter was through fear of shame forced to do what he knew to be unjustifiable, and is therefore pitiable ^c.

The great and good Duke *de Sully*, who had as just notions of the point of honour as any of our modern heroes, who are daily fighting duels, has declared himself very strongly against this practice, as inconsistent with civilisation, decency, humanity, and all the laws of God and man. He even reflects with some severity on the remissness of his patriot King *Henry IV.* in neglecting to enforce the laws already standing, or to promote the framing of others more promising of success.

Beccaria, p. 38, 39, thinks death an absurd punishment for duelling, because they that will fight, shew that they do not fear death. He thinks the aggressor should be punished, and the defendant acquitted, because the law does not sufficiently secure his honour, and

^a *S. Pierre*, OEUVR. POLIT. X. 8.

^b *Instr.* 128.

^c *Ibid.* 130.

and leaves him in a state of nature to defend it by himself. But ought not then the law rather to be amended, and duelling rendered altogether inexcusable?

Supposing proper provision made by law for checking petulancy, giving satisfaction for affronts, and deciding all matters of honour, it would not be amiss to bring in every giver and receiver of a challenge, though no blood has been spilt, lunatic, to send him by authority to Bedlam for life, and give his estate, real and personal, to his heir.

Duelling was originally an appeal to Heaven. It is highly absurd in our times, when nobody thinks of Heaven, and especially as it is commonly practised by those who set Heaven at defiance^a.

Duels are supposed to have received their first establishment by a positive *law* (the practice is immemorial), from *Gundebald* King of the *Burgundians*, *A. D.* 501. See his edict^b. His design seems to have been, to put a check to perjury. For he supposed, that obliging all persons to defend with their swords what they had sworn, would make them more careful what oaths they took. But in this he shewed himself no great reasoner. For the natural effect of this law was, to put all people on learning the sword.

See a minute account of the whole ceremony of trial by combat, in *Spelm. Gloss. voc. Campus*.

Brady II. 147, gives a clear account of the origin and manner of duels.

The following by *Verstegan* is very concise and clear^c.

‘For the trial by camp-fight, the accuser was with
‘the peril of his own body to prove the accused guilty,
‘and

^a ANT. UNIV. HIST. XVIII. 492.

^b Ibid. XIX. 435.

^c ANTIQ. 64.

‘ and by offering him his glove, to challenge him to this
 ‘ trial, which the other must either accept of, or else
 ‘ acknowledge himself culpable of the crime whereof he
 ‘ was accused. If it were a crime deserving death,
 ‘ then was the camp-fight for life and death, and either
 ‘ on horseback or on foot. If the offence deserved
 ‘ prisonment, and not death, then was the camp-fight
 ‘ accomplished, when the one had subdued the other,
 ‘ by making him to yield, or unable to defend himself,
 ‘ and so be taken prisoner. The accused had the liberty
 ‘ to choose another in his stead; but the accuser must
 ‘ perform it in his own person, and with equality of
 ‘ weapons. No women were admitted to behold it,
 ‘ nor no men children under the age of thirteen years.
 ‘ The priests and people that were spectators did si-
 ‘ lently pray that the victory might fall unto the guilt-
 ‘ less; and if the fight were for life or death, a bier
 ‘ stood ready to carry away the dead body of him who
 ‘ should be slain. None of the people might cry,
 ‘ shriek out, make any noise, or give any sign whatso-
 ‘ ever; and hereunto at *Hall* in *Swevia* (a place ap-
 ‘ pointed for camp-fight) was so great regard taken,
 ‘ that the executioner stood beside the judges, ready
 ‘ with an ax, to cut off the right hand and left foot of
 ‘ the party so offending. He that (being wounded)
 ‘ did yield himself, was at the mercy of the other to be
 ‘ killed or to be let live. If he were slain, then he was
 ‘ carried away and honourably buried; and he that
 ‘ slew him reputed more honourable than before: but
 ‘ if being overcome, he were left alive, then was he
 ‘ by sentence of the judges, declared utterly void of all
 ‘ honest reputation; and never to ride on horseback,
 ‘ nor to carry arms.’

Time was, when the seconds were to fight, and kill one another in the quarrels of their principals. That

folly is happily abolished. A little firmness in government would abolish the remaining folly of the principals fighting and murdering one another.

S. Pierre estimates the number of duels in *France* at 600 in a year, or 30,000 in every half century^a.

Duels were got to such a height in *France*, that 4000 gentlemen in a year fell by them. Laws were made against that destructive practice, which restrained it in some measure. But the king, very unthinkingly, though so wise a man, speaking with some contempt of some who had, in consequence of the laws, refused challenges, the laws present lost their effect. So much more powerful is fashion than law^b.

The wise and good *Gustavus Adolphus* of *Sweden*, made severe laws against duelling^c. Two general officers begged his leave to decide a dispute arisen between them by single combat. The king gives them leave, and desires to be present. Before the fight begun, he sends for the executioner with his ax. The gentlemen asking his Majesty why he called in that efficacious officer; *Gustavus* answered, 'Only to cut off the head of the conqueror. The gentlemen made up the quarrel without fighting^d.

In *Cromwell's* parliament, *A. D.* 1654, there was an act made for preventing and punishing duels^e. For challenging, or accepting, or knowingly carrying a challenge, prison for six months, without bail, to give security for one year afterwards; not discovering in twenty-four hours, to be deemed accepting; fighting, if death ensues, to be punished as murder, &c. Persons using provoking words or gestures, to be indicted and fined; to be bound to good behaviour^f.

^a OEUVRE. POLIT. X. 47.

^c MOD. UNIV. HIST. XXIV. 404.

^e Ibid. XXXIII. 226.

^d Ibid.

^f PARL. HIST. XX. 311.

viour, and to make reparation according to the quality of the person insulted.

A bill for abolishing the impious practice of duelling was ordered into the house of commons, *A. D.* 1713^a. It was twice read; but dropped after all ^b.

Voltaire ^c mentions a pompous battle fought by a set of knights-errant of *France* and *England*, about the beauty of certain ladies; and observes, that if the *Scipios* and *Æmiliuses* had fought about beauty, the *Romans* had never been the conquerors and lawgivers of the world.

James I. used often to say, he could not help lamenting (like *Xerxes*, when he reviewed his army, and considered, that in 100 years not one of so many myriads would be alive) when he surveyed the noble attendance round him, that not one of them was safe for twenty-four hours together from being murdered in a duel. For if a mistake happened, affront was taken, the lie given, and immediate combat and bloodshed followed ^d.

There was a legal duel fought, *A. D.* 1571, the last, I suppose, upon record ^e.

In the days of chivalry, they often fought for fighting sake, to distinguish themselves. *John de Bourbonnais* came from *France* into *England*, with sixteen other cavaliers, to fight whomever he could meet, all to distinguish himself, and win his mistress's heart ^f. The tournaments in those times were often very bloody. *Henry II.* of *France*, *Henry de Bourbon*, *Montpensier*, &c. were killed at tournaments. Why could not those bloody-

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minded

^a *DEB. COM.* IV. 338.

^b *Ibid.* v. 38.

^c *ESS. SUR L'HIST.* II. 234.

^d *LORD BAC. LETT.* 193.

^e *Spelm. voc. Campus*, 103.

^f *Volt. ESS. SUR L'HIST.* III. 37.

mindèd fellows hire themselves as journeymen to some honest hog-butchers? In that profession they might, without sin, have washed their hands to the elbows in blood as often as they pleased.

It is the business of parliament to redress all such grievances; and an incorrupt parliament would certainly make such laws as would effectually redress them.

CHAP. V.

Of Lewdness.

UNDER the head of MANNERS, I could not avoid making some remarks on this most epidemical vice.

The breach of the most awful vows, the debauching of a virtuous wife, the destruction of a family's peace for life, the introduction of a bastard instead of the lawful heir to an ample estate, the provocation of an injured husband to that rage which no husband can promise to restrain, the hazard of murder and of damnation——these are what we of this elegant eighteenth century call gallantry, taste, the *bon ton*, knowledge of the world, *sçavoir vivre*, &c.

No statesman will look with an indifferent eye on the prevalency of lewdness in his country, if he has any regard for his country, and knows that this vice is not less mischievous by debasing the minds, than by enervating and poisoning the bodies of the subjects. A people weakened by the foul disease, are neither fit for sea nor land service, for agriculture, manufactures, nor population.

It is notorious, as above hinted, that a certain late reign exhibited from the throne a very gross example of broken

ken matrimonial vows. The effects of that evil example remain still, though the behaviour of the present king (whom God preserve) is the very opposite of that I refer to. It will appear hereafter, that the *examples of kings* do not make *right* and *wrong*. And our wicked wits may rack their brains till doomsday; but will never be able to prove, that the promiscuous commerce of the sexes is consistent with the order of *nature*, while the numbers of both that are born are so nearly *equal*, which effectually cuts off the pretext of any one to carry on a commerce with a plurality, and obliges every one to keep to *one*.

Would any of our modern wits choose to be thought the son of a wh—, rather than born in wedlock? Would any of them choose to have his sister or his daughter debauched? Do we not pronounce the contented cuckold, the wretch, who will bear with patience the defilement of his bed, a disgrace to the species? Is it not then manifest, that every man who is guilty of lewdness is self-convicted, of doing that by others which he will not bear at the hand of any other? This is acting directly contrary to the golden rule, which all nations have adopted, viz. ‘What you would not have done to you, do not that to others.’ If any man will fairly stand forth and declare, that he will do what he pleases, whether right or wrong, he declares himself the enemy of all order, and unfit to be suffered to exist among rational and moral beings.

That every man have his own wife, and every woman her own husband, is the voice of nature as well as of scripture.

Polygamy is unnatural. By the *Mahomedan* law any man may have four wives. But few men take the

advantage of the law. They who have the greatest]
number, are always the most jealous ^a.

Young men would do well to consider, that the indulging of those desires only inflames their rage.

Remarkable is the story of a beautiful *Arabian* woman, taken by force from her husband by the governor of *Casa*, who told the khalif, ordering him to restore her, that if he would give him leave to keep her one year, he would be content to have his head struck off at the end of the year ^b.

A man's leaving the bed of his worthy spouse, who perhaps now begins to verge toward age, and his invading that of his friend, who trusts him, what does it shew, but that he is capable of the basest treachery, if he can but get the pruriency of his filthy lust scratched upon a finer scrubbing post. And the woman, whose libidinous disposition

(Cum tibi flagrans amor et libido,
Quæ solet matres furiare equorum,
Sæviet circa jecur ulcerosum

Non sine questu.

HOR.)

drives her from her home and her husband, raging, as *Horace* here describes some ladies of his times, with the lust of mares scampering over the meadows,—what elegance, what taste, does she exhibit? It is granted, that love, where the ornaments of the mind more than those of the outward form are the object, is a passion full of elegant sentiment. But love can have no place where one of the parties is engaged to another person. The only sentiments, which can enter into such a connexion are those of lust and of remorse. Where the elegance of them lies, I own I do not understand.

Neither

^a MOD. UNIV. HIST. VI. 247.

^b Ibid. II. 84.

Neither party can think of the other but with disapprobation.

Our great folks seem to affect to be the contrasts of the philosopher in *A. Gellius*, who would not be conscious to *himself* of sin, though he could conceal it from both gods and men. They seem to be above regarding either self-consciousness, or the knowledge of gods or men.

By the most ancient and honourable of all law-givers, Moses, adultery, in both sexes, was made capital^a. And if a^b virgin was seduced, the man was obliged to marry her, or find her a husband.

Adultery by consent was punished in *Egypt*, in the man, with a thousand lashes with rods; a punishment incomparably worse than hanging or beheading; and in the woman with the loss of her nose. I don't know from whence I had this; but I know I did not write it, nor any other fact, without authority.

Solon the *Athenian* legislator, gave the court of *Areopagus* power to correct all idle persons^c. The same lawgiver allowed a husband, or any person, who surpris'd an adulterer in the act, to kill him on the spot^d.

Among the *Athenians*, if a husband caught his lady tripping, he was obliged to divorce her. The law did not allow him to receive her again. An adulteress was not allowed to enter the temples. *Romulus* likewise made a law, which is recorded by *Aulus Gellius*.
 “PELLEX ASAM JUNONIS NE TAGITO. SI TAGET,
 “ARNUM FOEMINAM CAIDITO.” Let not the harlot of a married man touch the altar of *Juno* [the goddess

K 3

^a EXOD. XXII. 16.

^b LEVIT. XX. 10.

^c *Ubb. Emm.* DE REP. ATHEN. 10. 100.

^d *Plut. in Solon*, Μοιχὸν μὲν γὰρ ἀνελεῖν, κ. ἴ. λ.

of marriage]. If she does, let her offer a female lamb [by way of expiation]. Among the *Spartans* there was no such crime as infidelity to the marriage bed, nor did *Lycurgus* use any precaution against it; but the virtuous education he prescribed for the youth of both sexes.

Among the *Athenians*, fornication, adultery, and celibacy, were punishable crimes. The debaucher of a virgin was obliged to marry her himself, or find her a suitable husband, says *Potter*. And *Athenæus* tells us, that at the *Lacedemonian* religious feasts, it was customary for the women to seize all the old batchelors, and drag them round the altar, beating them.

‘Such as frequented infamous women, *Solon* did not allow to harangue the people; thinking, that men without shame were not to be so far trusted^a.’ An archon, or magistrate, overtaken with liquor, he ordered to be put to death, for bringing disgrace upon the office^b.

Romulus punished adultery in women with death^c.

Domitian, in his first years, shewed an attention to the manners of the people. He restrained licentiousness, degraded a senator for being too fond of dancing, deprived lewd women of the privilege of being carried in litters, or of enjoying legacies, and punished adultery with death^d.

Several vestal nuns were found guilty of lewdness. They were buried alive, and their gallants whipped to death^e.

The Emperor *Macrinus* made an edict, by which every adulterer and adulteress were to be tied together, and burnt alive [to cool their lust]^f.

Manilius

^a ANT. UNIV. HIST. VI. 314. *Plut.* in *Solon*. ^b Ibid.

^c Ibid. XI. 292. ^d Ibid. XV. 52. ^e Ibid. XII. 451.

^f Ibid. XV. 344.

Manilius was struck out of the list of senators for saluting his lady, on his return from a journey, in the presence of his daughter. A high delicacy of manners among heathens ^a. We Christians do not strike a man out of any of our lists for saluting his wh— in the presence of both wife and daughter. The *Mahometans* punish severely simple fornication ^b. Among us Christians, adultery is only gallantry, an amusement for princes and grandees.

We often meet with extraordinary degrees of modesty in heathen countries. Young *Scipio*, by his virtue and amiable behaviour, gained over many of the little *African* kings and states in *Spain*, from the *Carthaginian* to the *Roman* interest. The *Carthaginians* besides, were very tyrannical to their provinces, which contrast was of advantage to the *Roman* general ^c. We shall turn over history long enough, before we meet with an instance of as much good consequent upon whoring, as *Scipio* and his country gained by chastity.

Cavades king of *Persia* projected a law for making all women common. Produces an insurrection, which ends in his deposition from the throne ^d.

A sachel's wife shews a great regard for her honour, when taken in war by the English ^e. O shame to the English wh—es of quality of our enlightened days!

All public brothels were suppressed in the city of *Constantinople*, by order of the Empress *Claudia*, A. D. 428 ^f.

The *Goths* allowed no brothels ^g.

K 4

Montesquieu

^a ANT. UNIV. HIST. XII. 355.

^b MOD. UNIV. HIST. I.

^c ANT. UNIV. HIST. XVIII. 44. ^d Ibid. XI. 98.

^e MOD. UNIV. HIST. XXXIX. 284.

^f ANT. UNIV. HIST. XVI. 544. ^g Ibid. 551.

Montesquieu^a doubts the fact reported by *Dion* of *Halicarnassus*, *Valerius Maximus*, and *Aulus Gellius*, viz. That though at *Rome* the law allowed divorce, no man took the advantage of the law during the space of 520 years. And if the fact was true, it was not, he thinks, to be wondered at, because, though the law allowed divorce, yet it clogged it with terrible inconveniences.

Corruption of manners threatens a decline of empire. About the times of *Sylla* and *Marius*, when the *Roman* republic was tottering to its fall, it was observed, that there was an universal degeneracy of manners prevailing; particularly, that the women were very scandalous in their behaviour at *Rome*, while those of the countries called by them barbarous, were remarkably exemplary in this respect^b.

It seems to have been an old *English* law, that an adulterer should be mutilated of the offending part. For in the year 1248, a person having been punished in that manner for *fornicatio simplex*, the King ordered by proclamation, that only adulterers should suffer emasculation^c.

By the old heathen laws of *Iceland*, adultery was punished with death, and even lascivious behaviour between single persons was severely punished. *IONÆ ISLAND. TRACT. p. 406.* Where the author observes, that our modern Christian legislators may learn, from these ignorant barbarians, a lesson useful for exciting them to restrain such behaviour between the sexes, as tends to produce effects highly prejudicial to states.

By the laws of King *Kenneth* of *Scotland*, adultery was punished

^a L'ESPR. DES LOIX, II. 6 9.

^b ANT. UNIV. HIST. XIII. 13.

^c *Hody's Hist. of ENGL. COUNCILS*, p. 330.

punished with the death of both the offenders^a. About the same time, *viz.* the ninth century, the same crime was punished in *England* by fine only^b.

Adultery was made capital by the incomparable *Yncas*, who first polished the *Peruvians*^c.

Among the ancient *Germans*, infidelity was punished with the death of the woman. *Alfred* inflicted a fine, and *Canute* fined or banished the man, and punished the woman with mutilation of nose and ears, and loss of her portion^d.

Adulteresses, among the *Portuguese* 700 years ago, were burnt alive, unless the husbands were pleased to pardon them^e.

A rape committed on a woman of quality of the same country, was punished with death. The ravisher of a woman of inferior rank was obliged to marry her, if both single, be his rank ever so much superior to hers^f.

Adultery in either sex was made death *April* 1650, (in the interregnum) unless when the man offending did not know that the woman was married, or the woman's husband was beyond sea, or generally supposed dead^g. In those days they went roundly to work. Our laws are not so severe; for a glazier was lately fined 20 *l.* and costs of suit for *crim. con.* with a taylor's wife^h. And we have seen a great person mulcted 10,000 *l.* for a transgression with a lady of quality: by these two extremes may be calculated what will

^a *Spelm. CONCIL.* I. 341.

^b *Ibid.* 367.

^c *MOD. UNIV. HIST.* XXXIX. 4.

^d *DISC. GOV. ENG. P.* I. p. 63.

^e *MOD. UNIV. HIST.* XXII. 27.

^f *Ibid.*

^g *PARL. HIST.* XIX. 257.

^h *WHITEHALL EVEN. POST*, June 5th, 1773.

will be the charge of cuckolding any man according to his rank from a nobleman to a taylor. Tables of these expences might be constructed by able mathematicians, and copies of them hung up at Mrs. Cornellys's on masquerade nights, in the same manner as at *Vauxhall* and *Ranelagh*, the rates of provisions.

Adultery is punished with death among the *Moguls*, though the poor women have often but the fourth part of a husband; the law allowing any man, who pleases, four wives ^a.

Among the *Tonkinese* in *India*, an adulteress and her lover are both punished with death ^b.

In *Persia* an adulterer is punished with emasculation; and the lady is thrown headlong from the top of a tower ^c.

By the laws of *Hoel Dha* king of *Wales*, in the 10th century, a married woman might be divorced from her husband only for wantonly saluting a gentleman ^d.

A widow guilty of frailty was, in the *Saxon* times, to pay 20 s. an unmarried woman 10 s. ^e These were heavy fines. For the fine for murder was, in some cases, no higher.

Incontinency in an unmarried heiress was punished with loss of her estate ^f.

Adultery was always punished with death among the ancient *Goths* ^g.

By the laws of *Canute*, the *Dane*, an adulteress was to lose her nose and ears, and the man was banished ^h.

Among

^a MOD. UNIV. HIST. VI. 247.

^b Ibid. VII. 482.

^c De Laet DESCR. PERS. 154.

^d Spelm. CONCIL. I. 411.

^e Seld. TIT. HON. 619.

^f Lord Lyttelton's HIST. HEN. II. III. 119.

^g ANT. UNIV. HIST. XIX. 264.

^h Spelm. CONCIL. I. 558.

Among the ancient *Saxons*, adultery was so odious, that all the women of the neighbourhood where an adulteress lived, were used to fall upon her, and after tearing off all her cloaths above the waste, whipped and cut her with knives, till she almost expired ^a.

In the old *English* laws, we find punishments for wanton behaviour, as touching the breasts of women, &c. ^b.

By the ancient laws of *France*, the least indecency of behaviour to a free woman, as squeezing the hand, touching the arm or breast, &c. was punishable by fine.

In *Switzerland* they executed, in *Burnet's* times, all women, who were five times convicted of fornication, or three times of adultery ^c.

See *Charles* Ist's pardon to the countess of *Castlehaven* for adultery, repeatedly committed by her ^d, by which she is exempted from all ecclesiastical censures, public penances, fines, &c.

Philip le Bel of *France* had three sons, whose wives were all suspected of infidelity. Their supposed gallants were flayed alive. If this were the punishment for gallantry in *England*, I should advise, that the hides be confiscated, and disposed of by public auction. They would sell at a great rate, and the money might be of service, when the house was upon ways and means. Nay, I do not know whether this elegant vice might not, supposing a due attention paid to the revenue arising from it, go some considerable length toward paying

^a *Spelm.* CONCIL. I. 234.

^b *Ibid.* I. 368, 373, et pass.

^c *Burn.* TRAV. p. 22.

^d *Rym.* FOED. XIX. 321.

^e *MOD.* UNIV. HIST. XXIII. 398.

ing the debt of the nation. Let it be considered, at what a rate a rich virtuoso, or a person of taste, would value a pair of gloves made of the hide of a lady of quality, or a blood royal hide. They must indeed be much more beautiful than the finest *French* kid. I know not whether a pin-cushion made of such rich stuff, might not fetch 100 guineas. And a hide of any size would make a great many pin-cushions. It is true, the frequency of adultery among us would bring to the market a prodigious glut of the article. But our engrossers of corn would presently shew us the way of keeping up the price, notwithstanding the plenty of the commodity. I am likewise aware of another obvious objection to my project, viz. That hides of rank are generally liable to be tender, occasioned by a polite malady very epidemical among the great, which would render the manufacturing of them difficult. But I have [not the least doubt, but a premium proposed would presently find us out a method of getting over that difficulty. It would be natural for the ministry to turn this scheme to their advantage by setting up a *hide-office*, with commissioners at 2000*l.* a year, clerks at 500*l.* a year, &c. And I doubt not, but slaying our adulterers and adulteresses (not alive; that would be too severe) would soon bring into the treasury as much clear revenue as we are like to get by taxing our *colonies*. And though our governments are not used to shew much zeal in suppressing vice, on account of the mischiefs it produces, perhaps the prospect of somewhat to be *got* by checking of the polite sin, might excite them to exert themselves.

Thus (to draw toward an end of this chapter) we see, that the violation of marriage vows, which we look upon as only a piece of polite vivacity, or at worst a venial sin, has in most ages and nations been considered as a

very serious affair, as ever deserving the severest punishment. All which is humbly recommended to the consideration of our statesmen and governors, or whoremongers and adulterers.

Jane Shore did penance at *St. Paul's* in a sheet, and a wax taper in her hand. A good and wholesome discipline, and would be useful in our times ^a.

When it was proposed to punish adultery with death, a gentleman observed, that such a law would only make people commit the crime with greater secrecy. But even with this view, such a law would be useful. For open vice is more atrocious than secret, and more mischievous by its example. It is a great evil for a people to be accustomed to hear often of gross crimes committed among them. It familiarises them to vice, and hardens them against the horror which every well disposed mind should have at wickedness. Wise statesmen will therefore endeavour to keep up an outward appearance of decency in the practice of the people. We have had statesmen in this christian, this reformed, this protestant country of ours, who, so far from giving any attention to the general manners of the people, have themselves been the grand corruptors and debauchers of the people, setting shame and decency at defiance.

By one of the laws of *Hoel Dha*, king of Wales, in the tenth century, a married woman might be separated from her husband if he was leprous, impotent, or had a stinking breath ^b.

In *Riley's Plac. Parl.* p. 231, is the copy of a deed, 30 *Edw. I.* by which *John de Cameys* gives up his wife *Margaret* to *William Pagnet*, to have and to hold, with
all

^a *Rap.* 1. 635.

^b *Spelm. CONCIL.* 1. 410.

all property belonging to her, *Omnibus Christi fidelibus, &c.* On this account she was deprived of her dower, which she sued for after the death of *John* her husband; there being an express law to that purpose. *Quod si uxor sponte reliquerit, &c.* Ibid. 232.

A. D. 1660, under the debauched *Charles II.* a bill was brought in for preventing wives quitting their husbands, and demanding separate maintenance for frivolous reasons^a. Such a bill seems much wanted now.

The emperor *Sigismund* often caught his empress with her gallants; but always forgave her, because he was himself guilty in the same way^b.

There is great reason to think many of the divorces of our times are obtained by mutual collusion, like *Bothwel's*, in order to get rid of his wife, and espouse queen *Mary of Scotland*; against which *Craig*, a Scotch clergyman, gave a brave and open testimony; and being called before the council, so struck them with his virtuous firmness, that they did not dare to punish him^c.

Lord *Strange*, in the debate on the divorce-bill, *A. D.* 1771, observed, that ‘the only means of stopping the prevalency of adultery, is to reform the manners of the women. That whilst *Coteries*, *Cornelys*, *Almack's*, and other places of rendezvous for company were so much encouraged, reformation would be impossible.’

It is to be expected, that among our other improvements in politeness, we shall soon introduce the *Italian* elegance of *Cicisbeos*, which was derived, says *Voltaire*^d, from

^a PARL. HIST. XXIII. 9.

^b MOD. UNIV. HIST. XXIX. 406.

^c Hume, HIST. TUD. 478.

^d ESS. SUR L'HIST. IV. 87.

from the romantic times, when gallant knights defended distressed ladies; but now means rank and open adulterers, seen in all public places with married women. Every married lady in *Italy* has one, two, or perhaps three of these attendants, who is to wait on her to and from all places of entertainment with the most careful assiduity, for which she rewards them in what she thinks a proper manner.

One great cause of the gross debauchery of our times, is the putting off of marriage to so late a period in life, because our gentlemen must, when they set up housekeeping, live in a certain taste, and all are striving to outvie one another in splendor and expence. In the mean time the calls of nature are powerful, and foul water quenches fire as well as clean, which sends our youth raging to the brothels, though they soon find to their cost that, as *Milton* says, it is only in virtuous wedlock that

———Love his golden shafts employs; here lights
His constant lamp, and waves his purple wings;
Reigns here and revels: not in the bought smile
Of harlots, loveless, joyless, unendear'd,
Casual fruition: not in court amours,
Mix'd dance, or wanton mask, or midnight ball.

PARAD. LOST, B. IV. ver. 763.

But while our gentlemen are going on in this course of debauchery, their sentiments with respect to the fair sex become gross and sordid; and they come at last to look upon womankind as merely objects of lust, and every handsome woman, married or single, is an object of lust.

Suppose the custom of a country were, for every father of a son to marry him at the first rise of desire, and before he could have time to think of rambling after lewd women, or of debauching innocence. A
youth

youth of seventeen or eighteen would choose rather to cohabit with a virtuous young lady of his own rank, than with a whore. And men ought in all countries to be restrained from debauching innocent virgins by a law obliging them to marry them, or find them husbands. A youth of seventeen or eighteen might continue to live with his parents after marriage as before, and his young wife with hers, visiting from time to time. The children might remain with the parents of the young woman. The expences of their maintenance to be defrayed by both parents, till such time as the young couple were of age to keep house together. If the reader should start objections to such a scheme, I will engage to find as many, and of equal weight, (to say the least) against whoring, the other side of the alternative.

The ancient *Cretan* youth were obliged to marry as soon as they were of age; but they did not live constantly with their wives till they were both arrived at the time of life when the constitution is formed^a. Every State ought to punish voluntary celibacy.

The *Turks* are more civilised in respect to observance of the matrimonial vow, than the *English* and *French*. Lady *M. W. Montague* says, ‘A gallant (in *Turkey*) convicted of having debauched a married woman, is held in the same abhorrence as a prostitute with us; he is certain of never making his fortune, and they would deem it scandalous to confer any considerable employment on a man suspected of having committed such enormous injustice.’

One vice introduces others, and every vice is hurtful in a State; therefore wise statesmen discourage all vices.

No

^a *Ubb. Emm.* 11, 66.

‘ No court (says *Voltaire*^a) has ever given itself up to debauchery, but seditions have followed.’

King *Dagobert* of *France* made his first departure from virtue by repudiating his Queen, on pretence of barrenness. Afterwards he became so licentious, as to keep three wives at once. The mound once broken down, it is not easy to stop the inundation^b.

Every body knows to what wickedness this passion drove *Henry VIII.* and *Charles II.*

Governor *Baleins*, of *Gascoyne*, killed an officer, who had debauched his sister on promise of marriage. The King pardoned him.

The law of *Moses* ordains, that the seducer of a virgin shall find her a husband^c.

In *Spain*, according to *Baretti*, if a young woman is debauched, the man, whom she charges as the author of her disgrace, is by law obliged to marry her, or go to prison, and to suffer endless vexation.

In respect of seduction, our law leaves us quite lawless. A rape is death. But is not the injury to me the same in the end, whether my daughter is seduced into the arms of a whoremaster, or forced? Of the two, seduction is on some accounts a greater injury than force. A young woman deflowered by main force may still be considered as undefiled in mind; whereas she who yields, must be accounted in some degree guilty. And as the law has left us in a state of nature, with respect to the seduction of our daughters, I own, I should be inclinable to take into my own hands the punishment of the man who had ruined a daughter of mine: For I should think he had done her and me as great an injury, in some respects a

VOL. III. L greater,

^a ESS. SUR L'HIST. II. 282.

^b MOD. UNIV. HIST. XXIII: 74.

^c EXOD. XXII. 16.

greater, than if he had murdered her. And if I were upon a jury to try a father, who had killed the seducer of his innocent daughter, I should certainly not bring him in guilty of murder.

To the disgrace of the present century, a miscreant lord decoyed an innocent young milliner of the city from her family under pretence of business; confined her several days in his own house; terrified her into compliance with his villanous desires; and was accused of a rape, and punished, with—a hearty fright: for he knew he deserved the death of a ravisher. But it could not legally be brought in a rape. I should be glad to understand what difference it made to the injured young woman, to her father, or to the young man who courted her, whether she was put into the ruffian's bed by force, or terrified by threats; or whether one proceeding, or the other, argued the greatest malignity, and deserved the severest punishment.

‘ There was (says Chancellor *Bacon*^a) an excellent
 ‘ law framed under *Henry VIII.* by which the taking
 ‘ and carrying away women forcibly, and against their
 ‘ will (except female wards and bond-women) was
 ‘ made capital; the parliament wisely and justly con-
 ‘ ceiving, that the obtaining women by force into pos-
 ‘ session (howsoever assent might follow afterwards by
 ‘ allurements) was but a rape drawn forth into length,
 ‘ because the first force drew on all the rest.’ Lord
B. did not carry away Miss *W.* by force; but he
 detained her in his own house by force. And it was in
 consequence of this force, and of his threats, that he
 would get her trappanned away out of the kingdom,
 and carried to *Maryland*, of which he was proprietor,
 that he debauched her; and yet he suffered *no material*
 punish-

^a PARL. HIST. II. 435.

punishment. The jury were, I suppose, quibbled out of their senses by the lawyers: for a *more atrocious rape* was never committed.

In the year 1699, there was a debate in the House of Peers concerning a separation, on account of cruelty, and a maintenance, for the Countess of *Anglesea*. Lord *Haversham* protested against it, and said, There never was such a bill proposed before ^a.

It is certainly not sound policy to suffer what may make the matrimonial tie seem less binding; and yet married women ought to be protected against the brutality of surly husbands. In this our police is miserably deficient. There ought to be a court for such causes. And yet I think nothing less than infidelity, or danger of life, can warrant a separation; nor can even those offences (in my opinion) justify a divorced person in marrying again; the vows being absolute, not conditional. A husband or wife, with whom one cannot live, is a misfortune; but does not, I think, void the matrimonial vow. Besides, it is to be considered, that allowing separated persons to marry again is giving them another temptation to separate.

It is the interest of almost every man and woman in *England* that street-walkers be suppressed, and lewd women confined to some obscure parts of great towns. Our ancestors thought it necessary to licence public stews, for fear of violence from sailors, and other debauched people, upon their wives and daughters. But there is no occasion for suffering the main thoroughfares of towns to be infested with those women, to the destruction of all sense of modesty, the discouragement of marriage, and drawing away into vicious courses the younger part of the male sex. And it is

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certain,

^a DEB. PEERS. II. 21. And see PARL. HIST. XXIII. 33.

certain, whatever may be pretended, that the streets may be kept clear of loose women by the same people, who now keep them clear of carts, coaches, &c. during parliament time.

The court of *Spain* observing the miserable depopulation of that country after the imprudent expulsion of the Jews and Moors, among other regulations for encouraging marriage, took care to prohibit public stews^a. There ought to be no way of coming at women, but by marriage; and then men would find it necessary to marry.

Why should the popish police of *Paris* carry reformation farther than the protestant police of *London*? In the WHITEHALL EVENING POST, September 1, 1772, is the following article in a letter from *France*:
' Within these few days, near 700 women of the town
' have been confined in different hospitals and prisons;
' when cured, to be sent to *Corfica*, and the *West India*
' Islands.'

Marriage is often kept back in *England* by gentlemen's going abroad upon their travels. They set out to visit foreign countries before they have acquired any knowledge of their own, and get their minds infected with foreign vices before they have established in them any good and virtuous habits.

No nobleman, or gentleman, ought to travel, if improvement be his object, till the heat of youth be over; and as every nobleman and gentleman of fortune can afford to marry young, they may travel with their ladies along with them. It is notorious, that ladies, in our times, travel almost as much as gentlemen. Any nobleman, or gentleman, may spend two or three summers in foreign parts with his lady, and
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^a *De Laet*. HISP. DESCR. 105.

the rest of the year at home ; and the business is done. So that travel need not hinder marriage.

It has been said, that a toast has of late been commonly drunk at the other end of the town, by the men of wit and gallantry, of which Satan himself need not be ashamed to be thought the inventor, viz. ‘ May elegant vice prevail over dull virtue.’ I have, not without some struggle, forced my pen to write it; but now I see it upon paper, I know not whether, for the honour of human nature, and of the eighteenth century, such a scrap of infernality ought not to be condemned to annihilation. Every purchaser of this book may, however, if he thinks it disgraces the page, blot it out of his own copy. The unthinking rake, whom the pursuit of pleasure draws into innumerable indefensible follies, is a saint compared with the deliberate well-wisher and promoter of vice in others, by which he is to gain neither pleasure nor profit. This latter may boast, that he has attained the summit and pinnacle of moral depravity. For it is impossible to exceed in wickedness the being, who loves vice for its own sake.

‘ *L’amour des femmes, &c.* The love of women can never be a vice, but when it leads to bad actions^a.’ Is not the making a woman a whore, or continuing her in a vicious course, who otherwise would have been an honest woman, or a penitent, a bad action? I am afraid, our polite people think not.

Augustus punished with death many who had received the favours of his dissolute daughter *Julia*^b. Our youth, if they acknowledge the guilt of debauching an innocent virgin (few of them shew even so much

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fenti-

^a VOLT. ESS. SUR L’HIST. II. 162.

^b ANT. UNIV. HIST. XIII. 540.

sentiment) conclude, that to encourage a prostitute in her wicked course of life, is no crime.

C H A P. VI.

Influence of Education upon Manners.

IT is observed above, that among the ancient *Spartans* there was no such crime as infidelity to the marriage-bed; and that *Lycurgus*, in framing his laws, had used no precaution against it, but the virtuous and temperate education he prescribed for the youth of both sexes.

And indeed the influence which education has upon the manners of a people is so considerable, that it is not to be estimated. But by education it is to be observed, we must understand not only what is taught at schools and universities, but the impressions young people receive from parents, and from the world, which greatly outweigh all that can be done by masters and tutors. Education, taken in this enlarged sense, is almost all that makes the difference between the characters of nations; and it is a severe satire on our times, that the world makes most young men very different beings from what their educators intended they should be.

The difference between the behaviour of the grave and regular Quakers, even in youth, and that of all other sects among us, which is brought about chiefly by the management of parents, shews what is in the power of parents. The Quakers hold frugality and industry for religious duties. They accordingly thrive better, and people more than other sects. See an excommunication and separation of *John Merrick*, a Quaker,

Quaker, from their society, on account of his irregular behaviour ^a.

The authors of the *ANTIEN*T *UNIVERSAL* *HIST*ORY celebrate the wisdom of the *Persians*, in respect to education, as follows: 'As to their laws, [the *Persian*] they are greatly commended by *Xenophon*, who prefers them to those of any other nation whatsoever, and observes that other law-givers only appointed punishments for crimes committed; but did not take sufficient care to prevent men from committing them; whereas the main design of the *Persian* laws was to inspire men with a love of virtue, and abhorrence of vice, so as to avoid the one, and pursue the other, without regarding either punishment or reward: to attain this end, parents, were not, by their laws, allowed to give their children what education they pleased; but were obliged to send them to public schools, where they were educated with great care, and never suffered, till they had attained the age of seventeen, to return home to their parents. These schools were not trusted to the care of common mercenary masters, but were governed by men of the first quality, and best characters, who taught them by their example the practice of all virtues; for these schools were not designed for learning of sciences, but practising of virtue. The youths were allowed no other food, but bread and cresses, no other drink but water, at least from the age of seven to seventeen. Those who had not been educated in these schools, were excluded from all honours and preferments ^b.

Dio Cassius insists, that *Burrhus* and *Seneca* were unfaithful guides of *Nero's* youth, in not restraining

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his

^a LOND. MAG. May 1766, p. 241.

^b ANT. UNIV. HIST. v. 136.

his licentious passion for *Aëtè*. Their apology was, that they were glad to divert him from greater crimes^a. But there is no safety in doing, or in conniving at evil, that good may come.

Hormouz king of *Persia* had by nature a bad disposition; but *Buzurge Mibir*, his tutor, took such pains with him, and knew so well how to set folly and vice in their true lights, that he vanquished his natural proneness to evil, and made him, in spite of himself, a great and good man. For the first three years of his reign, while his old tutor remained about his person, he as far transcended *Nouschirvan*, as *Nouschirvan* did all his predecessors. His discourses were fraught with wisdom. His actions were all beneficent. He carried his respect for his tutor so far, that he would not wear his regal ornaments in his presence. And when some of the courtiers intimated, that his reverence to him was excessive, since it was more than was due to a parent; he answered, *You say well, my friends. But I owe more to him, than I do to my father. The life and kingdom, I received from him, will remain with me but a few years; but the reputation I shall acquire in virtue of my tutor's instructions, will survive to the latest times.* Happy had it been for this prince, had he always adhered to these notions. But when old age had rendered *Buzurge Mibir* unfit for the great employment he held, he requested, and obtained, leave to retire; and with him retired the happiness of his royal pupil. The young courtiers, who were about *Hormouz*, begun, from that moment to gain a visible ascendancy over him, and to influence him to do many things alike injurious to his interest and his reputation. He afterwards

^a ANT. UNIV. HIST. XIV. 373, 390.

wards became such a tyrant, as to murder his subjects by thousands; the consequences of which proceedings were the hatred of his subjects; revolts; invasions; battles; and the deposition of *Hormouz*, and putting out of his eyes^a.

If education be of such consequence, it ought to be a great object with statesmen; so much the rather because the *private* educators of youth, who *alone* have it in their power to discharge, in any tolerable manner, that momentous trust, are but indifferently encouraged by those who employ them.

Educators of youth had formerly, in some countries, the authority of ministers of state, being thought of equal consequence; and justly, says the author. Youth staid in the seminaries till fit to enter on public employments^b. He who is completely qualified for educating youth (who can say what it is to be completely qualified?) may undertake any thing. The abilities of the angel *Gabriel* would find hard exercise in forming a few human minds.

The *Chinese* laws make parents answerable for the misbehaviour of children, concluding, that they must have neglected their education^c.

S. Pierre has reckoned up the advantages of an education in a school, compared with those of a home education, and has, very judiciously^d, given the preference to that education, which puts young people out of the way of fond parents, their greatest enemies.

Marshal, in his travels, speaking of the *Dutch* seminaries of learning, observes, that there is not in them such a variety of dissipation and expence, as are the disgrace

^a MOD. UNIV. HIST. XI. 186.

^b Ibid. XXXVIII. 472.

^c ANT. UNIV. HIST. VIII. 266.

^d OEUVR. POLIT. XI. 108.

disgrace of our universities of *Oxford* and *Cambridge*. That a youth, by being placed at *Leyden*, or *Utrecht*, runs no other hazard, than that of perhaps acquiring a more studious turn, than what would be suitable to active stations in life. But that at our *English* universities, a youth will acquire such a turn to extravagance, as will ruin all prudence and oeconomy in him for life. He adds, 'the morals of the youth are incomparably purer at the *Dutch* universities, than the *English*, which are little better than seminaries of vice.'

If statesmen understood rightly their proper function, they would apply a great part of their time and attention to education, as a matter of great consequence toward forming right principles and manners in persons of rank, from whom the lower people receive theirs. Universities and public schools, especially those situated in great towns, seem to be a constitution incapable of proper regulation. The multitude of the youth assembled together, makes it unreasonable to expect other than dissipation and neglect of studies, if not vice and debauchery. They consider themselves as (what they really are) formidable to their masters and governors, and they will obey only when they please. But, if we must speak the truth, the error begins earlier than schools and universities. In *England* parents encourage that in their sons, which they ought to suppress, and contrariwise. The most amiable, and most useful disposition in a young mind is diffidence of itself, a sense of its own insufficiency, and consequent need of instruction and guidance, and a constant fear of offending. But we do all we can to rub off this lovely delicacy of sentiment, and to give our sons instead of it, a bold and fearless disposition, which naturally leads them to licentiousness and disobedience, with

with a daring contempt and resistance of advice and instruction from those who alone have a right to regulate their manners and habits.

But to point out fully the errors, deficiencies, and abuses of the times, with respect to this one article of forming the manners of the youth, would fill this whole volume.

It is commonly reckoned, that kindness is the natural growth of the human heart. Yet we find, that savages are almost universally rather devils than men in respect of cruelty, and that they only come to acquire some degree of humanity, in consequence of civilisation.

Scalping was in use among the *Alans* and *Huns*^a.

In *modern* times we do not expect a whole army, or other numerous set of people, to be restrained from irregularities by principle. A man of real honour, or conscience, is one of a thousand. We meet with various instances among the *ancient Heathens*, of great multitudes restrained by their oath, by gratitude to a public benefactor, or by reverence for the gods. To what is it owing, that with a better religion, we see worse manners prevail?

Lazy statesmen excuse their neglect of this important part of their duty by alleging, that the multitude of any people is incapable of being formed to any principles of virtue or delicacy of sentiment. But it is not true, that the majority of a people must be of gross sentiment. The *Athenians* are a proof to the contrary. They would not agree to *Themistocles's* unknown proposal, though *Miltiades* told them it would be very serviceable

^a *Clarke's* CONNEX. OF COINS, p. 415.

viceable to the state, because he at the same time told them it was dishonourable^a.

Plato employs a great part of the IVth dialogue of his *DE REPUB.* in shewing what care ought, for the security of states, to be taken of the education of youth, and speaks of it as almost sufficient of itself to supply the place of both legislation and administration.

And *Aristotle*^b lays down very strict rules concerning the company young people may be allowed to keep, the public diversions they may attend, the pictures they may see, and against obscenity, intemperance, &c. ΕΠΙΣΚΕΠΤΕΟΝ ΔΕ ΤΟΙΣ ΠΑΙΔΟΝΟΜΟΙΣ, κ. τ. λ. And the VIIIth book of his *POLIT.* is employed wholly on education; in which he shews, that youth ought to be strongly impressed with the idea of their being members of a community, whose good they are to prefer to their own private advantage in all cases where they come in competition. He commends the *Spartan* wisdom in paying such attention to this great object. Such is the delicacy of this old Heathen, that he hesitates about the propriety of young mens applying to music, as being likely to effeminate and enervate the mind.

We Christians let our youth loose to all encounters, and hardly teach them any thing thoroughly, but the necessity of getting money, in order to make a figure in life.

Lycurgus did not allow his *Spartans* to travel, lest they should be tainted with the manners of other nations. We should keep our gentry from making the tour of *Europe*, in mere compassion to our neighbours, who

^a *Cic. OFF. Corn. Nep. VIT. THEMIST.*

^b *POLIT. VII. 17.*

who cannot afford to be as debauched as we are. Time was when the *English* went abroad to learn the continental vices; but we have outdone our masters. The *English* are not reckoned great in invention, but they are famous for improving on the inventions of others.

There ought to be a large fine imposed on every person who goes needlessly abroad, and spends his income in foreign countries. This alone, carried to a considerable excess, would ruin the nation. It has been computed, that in one year our truants of the nobility and gentry have spent, in *France* alone, to the amount of near a million. If the *French* were as foolish as we are, and would come and throw away their money among us, as we do ours with them, the account would balance itself between the nations. But they know better things.

Polymnis, the father of *Epaminondas*, spent most of what he could give his son upon his education. Let history be answerable, whether he did not lay it out to the greatest advantage^a.

The *Roman* censors expelled from the city certain unqualified schoolmasters^b. Our law prohibits all persons educating youth (not who are ignorant, negligent, or vicious) but who will not subscribe certain self-contradictory doctrines, which every man of sense in our times gives up, and which no man ever really believed, because no man ever understood them.

Hieronymus, successor to the good king *Hiero* of *Sicily*, a wicked prince, so grieved some of his guardians, that they laid violent hands on themselves, choosing death rather than the pain of seeing the bad behaviour of their *quondam* pupil^c.

In

^a ANT. UNIV. HIST. VII. 205.

^b Ibid. XIII. 34.

^c Ibid. VIII. 108.

In the time of *James I. A. D. 1620*, a motion was made in the house of peers for an academy for the education of persons of quality. This shews, that the conduct of the Universities was, in those times, disapproved^b.

The excellent *Abbe S. Pierre* holds education to be of great consequence both to princes and subjects toward the peace and happiness of states. See particularly tom. VII. 219, where he shews the great importance of good habits and customs in a country, and the great importance of education toward forming the habits and customs of a people.

Montesquieu lays great stress on education and manners^c. What he writes is too long to quote without prejudice to his sense.

‘The Czarina does not extirpate vice by stern justice, but prevents it by the more effectual means of virtuous education^d.’

Every thing in *Poland* favours frequent robberies and murders. But such is the honesty of the people, there are very few. So much more useful are good morals than good laws^e.

S. Pierre thinks it strange, that in *England* education should be neglected by parliament^f. However, that has not always been the case. For we find a bill ordered to be brought in, *A. D. 1711*, for preventing the education of children in popish countries^g. But indeed, excepting the article of religion, it is to be questioned whether *English* children would be great losers by going abroad for education. The conduct of *English* parents in

^b PARL. HIST. V. 337.

^c L'ESPR. DES LOIX, I. 47. seq.

^d CZARINA'S INSTR. Pref. xv.

^e MOD. UNIV. HIST. XLIII. 529.

^f Ibid. 165.

^g DEB. COM. IV. 261.

in respect of indulgence, even to the voluntary and inexcusable perverseness of their children, makes it much to be desired, that they and their children be separated as early as possible.

A noble scheme was proposed in the time of *Henry VIII.* when the crown had so much in its power, *viz.* A foundation for educating ambassadors, counsellors, and public officers. The students to be trained up in the knowledge of history and politics, and to go abroad with ambassadors. Others to write the history of all public transactions. This would, however, answer no end in our times. Our politics are reduced within a very narrow compass. Packing a house of commons^a.

Statesmen ought to keep as constant an eye upon the manners of their people, as the most prudent *parents* upon those of their *children*. The manners of a people are very changeable. One would hardly imagine any thing more remote from the national character of the *English* than inhumanity. Yet the News-papers of the beginning of *April 1771*, were filled with accounts of the most infernal cruelties committed by them in the *East Indies*.

CHAP. VII.

Of Punishments.

THERE are two principal means for drawing mankind to decency of behaviour, and deterring them from those actions which are hurtful to society, *viz.* Rewards and Punishments. As to the former of these, it is but a little way that statesmen go in conferring

^a *Rapin*, i. 824.

ring them. In poor countries, governments have but little in their power, and in rich ones they give the honours and emoluments not to those who deserve them, but to those whom it suits them best to gratify; and then they exchange the name of rewards for that of bribes. It is therefore not necessary to say much of rewards. As to punishments, the most indispensable requisite is their being adequate. A murder committed with the sword of justice, is the most horrid phænomenon in a state. And in all well-regulated states, the maxim, 'Better ten guilty escape, than that one innocent be punished,' has been held unquestioned.

Another essential in punishments is, that they be calculated to deter offenders, and prevent farther transgression. For this is, in fact, the sole end of punishments. And if a sanction does nothing toward preventing farther violation of the law, it is totally useless.

Malefactors in *Russia* are now condemned not to death, but to *work* in the mines^a. A regulation not less prudent than humane; since it renders this punishment of some advantage to the state. In other countries they only know how to put a criminal to death with the apparatus, but are not able to prevent the commission of crimes. The terror of death does not perhaps make such an impression on evil doers, who are generally given to *idleness*, as the fear of *chastisement* and hard *labour* renewed every day.

Catharine the Czarina, on ascending the throne, promised, that no person should in her reign be punished with death. We punish every thing with death, and with death of the same sort; so that two fellows shall go together to be hanged at *Tyburn*, the one for cutting

^a MOD. UNIV. HIST. xxxv. 390.

ting his wife's throat, or worse, starving her to death, the other for taking a guinea of a rich man a stranger to him^a.

‘ *Caput amputare, &c.* Beheading, racking, mutilation, breaking on the wheel, are not legal punishments in *England*, and yet in no country are fewer murders committed.’ *Thom. Smith. DE REPUB. ANGL.* Perhaps it is not strictly true, that there is no country in which fewer murders are committed, than in *England*. I imagine *Scotland* and *Holland* are exceptions; to mention no others. But be this as it will, it is certain that in no countries are atrocious crimes more frequent, than in those in which the punishments are the most inhuman.

Let us hear Mr. *Fazakerly* on this subject, who spoke as follows in the house, *A. D.* 1744:

‘ Some people confess that forfeitures and confiscations, when annexed to capital punishments, are inconsistent with religious justice, and the spirit of our law; but these additional punishments, say they, are necessary for the preservation of government, and preventing conspiracies and civil wars. Did they ever do so in any country? Did the severity of the punishment ever prevent the frequency of the crime? Does breaking on the wheel prevent robberies in *France*? Do the punishments of treason prevent treasons and rebellions in *Asia*, where traitors are put to the most tormenting and cruel deaths, and their whole families destroyed? Sir, there is something in the nature of man that disdains to be terrified; and therefore severe punishments have never been found effectual for preventing any sort of crime. The most effectual way to prevent crimes is, to prevent the

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^a *MOD. UNIV. HIST.* xxxv. 556.

‘ temptation : if you would prevent thefts and robberies, you must take care to have your people educated in virtuous principles, and every man brought up and enured to labour and industry, that has no estate to subsist on : if you would prevent treasons, you must do it by the mildness of your government, in order to prevent the ambitious from having any matter to work on, or any prospect of success, and to prevent any number of men from being rendered desperate ; for desperate men no laws can restrain, no punishment frighten ; and no man ever yet conspired against a government, without some prospect of success. I am therefore fully convinced that punishments always promote, instead of preventing, conspiracies and civil wars ; and I have the experience of all ages, and all countries, for supporting my opinion. Nay, if we have any faith in providence, we must expect that a government shall not go unpunished, which injures and oppresses the fatherless, the widow, and the orphan. These severe punishments upon treason, Sir, serve for nothing but to lull a government into a fatal and mistaken security, that no man will venture to conspire or rebel against them. In arbitrary governments, this emboldens ministers to tyrannize over, and oppress the people ; and in limited governments it encourages them to encroach upon the liberties and privileges of the people. In both they continue their oppressions or encroachments, till the people are become generally discontented. Then some desperate, or some ambitious man sets fire to the train, and the ministers too often with their masters are blown up by the combustibles which they themselves have collected for their own destruction. It was to this cause chiefly, I am convinced, Sir, that we owed all the civil wars, and all the revolutions that have happened
‘ in

‘in this country almost ever since the conquest; and
‘if we remove the cause, I may venture to prophesy,
‘that both our civil wars and revolutions will be less
‘frequent.’

One would think nothing was more natural, than
that murder be punished with death, according to
Moses’s law, ‘he, who sheddeth man’s blood, by man
‘shall his blood be shed^a.’

————— Nec lex est justior ulla,
Quam necis artifices arte perire suâ.

It seems strange, that any nation wise enough to
propose punishments, should propose any other punish-
ment for every injury, than formal retaliation, where
it can be inflicted. Why should he, who mangles an
innocent person, in such a manner that he is three
days in the pains of death, be neatly tucked up, and
put out of pain in the time of pronouncing, one, two,
three? A few years ago, a merciless monster in hu-
man shape, starved his wife to death, keeping her tied
with her hands behind her in constant anguish, for
many weeks, if I rightly remember. He was only
hanged; that is, he was punished, as if he had only
stolen a sheep. This is not common sense. His
guilt was as much beyond that of a sheep-stealer, as
this globe of 25,000 miles round is larger than a
hillock.

‘At *Taunton* a man was lately executed as usual
‘[that is, he was hanged] for murdering his own fa-
‘ther^b.’

Our laws are grown to be very sanguinary. In the
Saxon times, they were quite contrary. For the lives
of all ranks of men were valued at a certain fine;

M 2

though

^a GEN. IX. 6.

^b LONDON MAG. I; 6², p. 228.

though some authors think those fines were for accidental killing; not for murder of malice forethought*. In those times they distinguished the rank of a person by the fine for killing him. One was a 200 s. man; another a 300, and so on^a.

Had due care been taken, 'it is impossible, that in the 18th century, it could ever have been made a capital crime to break down (however maliciously) the mound of a fish-pond, or to cut down a cherry-tree in an orchard, or that it should still be felony to be seen for one month in company with the people called *Egyptians*, or *Gipseys*^b.' Add to these the game-acts, the dog-act, the smuggling-acts, the penal laws against dissenting preachers officiating without subscription to human articles and creeds, &c.

By 10 Geo. III. c. 19, every unqualified person taking or killing a partridge in the night is to be whipped publickly. This law is so cruel, that, I suppose, no magistrate will venture to put it in execution.

The good emperor *Antoninus* was so cautious of too great severity, (the worst error of the two) that he promised never to punish capitally a senator; which promise he kept so faithfully, that he spared several murderers of that rank^c.

It

* See *Seld. Tit. Hon.* p. 603. 'Æncebryceopery Eopler, &c. The weregild [or fine for killing] an archbishop and an earl, is 15,000 thrymsas, [a thrymsa about a third of a Saxon shilling] of a bishop and an ealdorman 8000, of a holde and a highgereeve 4000, of a massethane, or spiritual lord, and a worldthane, or temporal lord, 2000.' And see *Ibid.* 619, the fines for murder committed on certain holidays.

^a *Spelm. Gloss. voc. Wera, Magbota, Weregildum, &c.*

^b *Blackstone*, iv. 6.

^c *Ant. Univ. Hist.* xv. 199.

It is not the severity of punishments, but the certainty of not escaping, that restrains licentiousness^a.

When laws and sanctions are ill contrived, it is necessary to make *laws* to punish crimes occasioned by former *laws*: but this is the height of injustice^b.

Public executions, if they do not strike the people with fear, instead of being exemplary, do harm, by hardening them against punishment. Whenever a people come to shew themselves unmoved, or not properly affected at those awful scenes, a government, who had common sense, or any feeling of their proper function, would immediately put a stop to such exhibitions, and confine executions to the bounds of the prison. In *Scotland* at an execution, all appear melancholy; many shed tears, and some faint away. But executions there are very rare. It is the same in *Holland*.

‘It may not be unseasonable, says *Devenant*, in this place to offer to public consideration, whether it would not be more religious, [more agreeable to the spirit of christianity] to transport many of those miserable wretches, who are frequently executed in this kingdom for small transgressions of the law; it being peradventure one of the faults of our constitution, that it makes so little difference between crimes; for experience tells us, that many malefactors have, by after-industry, and a reformation in manners, justified their wisdom, whose clemency sent them abroad^c.’

Voltaire says the *English* only murder by law. He makes repeated reflexions on this nation as bloody, cruel, rebellious, &c. More crowned heads, he says, have been cut off in *England*, than in all *Europe* besides. How few kings in *Europe* have been cut off, com-
M 3 pared

^a *Czar. INSTR.* 127.

^b *Ibid.* 128.

^c *Daven.* II. 4.

pared with those who have deserved cutting off! If the *English* have shewn less patience under tyranny, than the other nations of *Europe*, I wish they had shewn still less. That, for instance, they had un-headed *Henry VIII.* his bloody daughter *Mary*, and *James II.* tyrants and murderers all, as well as *Charles I.* on whom they did justice in an exemplary manner. I wish our law was less sanguinary in punishing theft. But it very ill becomes a *Frenchman* to reflect on *English* severity. Did not their tyrant tell them a few years ago, that the whole power, legislative and executive, is in him alone? Do the *English* ever put any person to the torture to force them to confess? On the contrary, is it not a maxim in our law, that no man is obliged to accuse himself? Do the *French* try accused persons by their peers? Has not their tyrant, or their tyrant's tool, or their tyrant's whore, power to send to the Bastile whom they please? Is there a man in *France* secure of his liberty, or his property, one day to an end?

‘The severest punishment, under a mild administration, would be, to convince the offender, that he ‘has committed a foul crime^a.’ It is the fault of government, if a people are less delicate to offend against the laws of their country, and of morality, than a well-brought up son, or daughter, against those of their parents. In *England* we have little notion of obeying either our maker, our laws, or our parents.

Punishments operate according to the dispositions of the people. Severe punishments harden their tempers, and defeat their own intention. There are more offenders among the *Turks*, who bastinado their people to death for slight faults^b, than in *England*. The rigorous

^a *Czar. INSTR.* 86.

^b *MOD. UNIV. HIST.* XVIII, 205.

gorous punishments of martial law do not restrain the soldiery from licentious behaviour. The youth of the public schools, where the discipline is severe, are more unruly, than those in private houses of education, where they are corrected with more gentleness.

‘ The only punishment denounced against the transgressors of the *Ogulnian* law was, that they should be deemed guilty of a dishonourable action. A slight punishment indeed for a more corrupt age; but sufficient at this time to restrain the *Romans*, who piqued themselves on their virtue, and were never chosen for great employments, unless they had preserved their reputation pure and untainted^a.’

‘ A violent administration will be for sudden and violent remedies, in case of public disturbances; and by and by these violent punishments become familiar, and are despised^b.’ A people are to be led, like rational creatures, not driven like brutes.

The shame of being punished ought always to be the principal part of an offender’s punishment. And a person, who is punished, will suffer severely from shame, unless either the punishment be unjust, which is the fault of the government, or himself, and those, who are witnesses of his punishment, be hardened and abandoned; which is a greater fault of the government. For it was the government’s business to take care, that the people should not become thus ill-disposed.

The *Czarina* proposes^c that all punishments flow naturally from the respective crimes. If this rule were observed, thieves and highwaymen would be punished with hard work and hard fare, because they became guilty through idleness and luxury.

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If

^a ANT. UNIV. HIST. XII. 115.

^b *Czar. INSTR.* 86.

^c *Ibid.* 82.

If a government is mild, and a country happy under it, banishment will be a sufficient punishment for most offences.

Crimes, which tend to corrupt the morals of the people, ought always to bring this punishment upon the offenders; because the morals of the people ought above all things to be secured.

Hanging is a punishment as ancient as King *Ina*, says Sir *William Dugdale*^a. *William* the Bastard punished with putting out of eyes, emasculation, cutting off hands or feet, &c. *Henry* I. introduced hanging for theft and robbery. Beheading criminals of quality was first practised, he thinks, in 8 *Will. Conqu.* Drowning was a punishment used in the time of *Edward* II. and before. In the county palatine of *Chester* they used beheading instead of hanging, in the time of *Edward* I. A murderer was, in those days, dragged to execution by the relations of the murdered by a long rope^b.

Among the ancient *Germans*, and, after them, among our *Saxon* ancestors, a murderer was obliged to pay damages to the King for the loss of a subject; to the Lord for the loss of a vassal; and, as *Tacitus* observes (*de mor. Germ. recipit satisfactionem, &c.*) to all the family of the deceased for the loss of their father, son, brother, &c.^c

It was enacted in this parliament that the King should not pardon murder^d.

A man was boiled to death in *Smithfield* (on an old statute since repealed) for poisoning^e.

Beccaria,

^a ORIG. JURIDIC. p. 88.

^b Ibid. 89.

^c Spelm. GLOSS. VOC. *Cenegild*.

^d Rap. 1. 466.

^e Ibid. 1. 792.

Beccaria, p. 102, holds capital punishment wholly unnecessary, excepting only where the life of the offender is clearly incompatible with the safety of the state.

When an offender is hanged, he is made an example to a few hundreds, and is forgotten. Put him in a state of slavery, confinement, or continually returning correction, during many years, or for life, and you make him a constant example to a succession of individuals during the whole period of his punishment, besides that his labour may in some degree compensate for the injury he has done society.

Too severe punishments affect the people with compassion for the sufferer, and hatred against the laws and the administrators of the laws.

There are in *England* no less than 160 crimes declared by law capital, without benefit of clergy^a.

If severity were the certain means for curing some faults in a people, it does not follow that it ought to be used, because it may leave a worse distemper than it removes. It may force them out of one wrong track into another more wrong. It may break and daunt their spirit; or it may harden and brutify them.

The *Japanese* are afraid of hardening their children by severity; but the *Japanese* government is not afraid of hardening the people by accustoming them to rigorous punishments. Yet the maxims by which a family of children, and those by which a people are to be formed, and to be governed, are no way essentially different.

There was a bill brought into parliament under *James I.* for exempting the gentry of this realm from the slavish punishment of whipping^b.

Punish-

^a *Blackst.* IV. 18.

^b *PARL. HIST.* V. 448.

Punishments are indispensable in states; and a proper application of them produces valuable effects. *Painvine's* execution for cowardice, at the beginning of the *Dutch* war, was of considerable service. He was tried twice by his brother officers; but acquitted, to the great disgust of the states, who saw, says *Burnet*^a, that 'the officers were resolved to be gentle to one another, and to save their fellow-officers, how guilty soever they might be.' The Prince of *Orange* brought him to a third trial before himself and a court of the supreme officers, in which they had the assistance of six judges. He was cast for his life.

Nothing seems clearer, if we compare Admiral *Byng's* conduct, *A. D.* 1755, with that of *Blake*, *Vernon*, or any of our truly brave commanders, than that he deservedly suffered the punishment due to cowardice. Yet we find several of the officers, who could not decently avoid condemning him, afterwards pretending great uneasiness about his fate, and desiring to disclose their reasons for passing the sentence of death on him, which would discover, they said, such circumstances as might, perhaps, shew the sentence to have been improper^b. The King respited *Byng*: And a motion was made for bringing in a bill for releasing the officers from the obligation of secrecy; but the Lords wisely rejected it, approving the old rule, Hang well and pay well, and you shall be well served.

We punish many very atrocious crimes too slightly, as well as several inconsiderable crimes too severely. Perjury in *England* is only the pillory. Among the *Russians*, it is punished with severe whipping, and banishment^c.

A bill

^a HIST. OWN TIMES. I. 470.

^b ALM. DEB. COM. V. 204.

^c MOD. UNIV. HIST. XXXV. 124.

A bill was brought in *A. D.* 1694 to make perjury felony. Thrown out. Several lords protest, because there was great need of a severer punishment for perjury^a.

Our laws are too gentle to perjury; to adultery; to seduction of modest women; to insolvency occasioned by overtrading or extravagance; to idleness in the lower people; to bribery and corruption; to engrossing and monopolizing the necessaries of life; to giving and accepting challenges; to murders with aggravations of cruelty, &c.

Preventive wisdom suggests the necessity, 1. Of an incorrupt legislature. 2. Of clear and simple laws, digested in a short code. 3. Of the certainty of punishment in case of transgressions. Pardons, even from the Throne, are of doubtful consequence. They invite offenders, especially persons of rank; for they trust they shall always have interest to obtain their pardon. Laws ought to be so just and so mild, that they may be put in execution, which would supersede the use of the royal prerogative, and save the King the trouble of much solicitation and reflection when he refuses. 4. Of liberty. A slave has no veneration for his country or its laws. His country does nothing for him, that may allure him to obedience: freemen have a hand in making the laws, and therefore may be supposed to be prejudiced in their favour. Men naturally oppose laws made by those who assume an unjustifiable authority over them. 5. Of sound education, useful public instruction, and a free press, with whatever else tends to spread light and knowledge among the people. A savage or uncultivated people are only obedient as far as fear carries them. Knowledge enlarges

^a *DEB. PEERS*, I. 434.

enlarges the mind, and leads it to the love of order and regularity. Education furnishes the mind with what takes it off from the sordid pursuit of riches, power, and sensual pleasure. 6. Of rewards rather honorary than pecuniary. 7. Of associations, as that in *Poland* called the commonwealth of *Babina*; which consisted of all the most considerable people of the country, who met from time to time to enquire into the general behaviour of the people, and promoted good behaviour by their countenance and other invitations; discouraging the contrary by general disgrace. But indeed we need go no farther than our own wise and judicious Quakers; who do more by their manner of educating their youth, and their treatment of them in consequence of their behaviour, than all the Kings of *Europe* with their laws and sanctions piled on one another to the height of mountains.

C H A P. VIII.

Able Statesmen apply themselves to forming the Manners of the People.

IF manners be, as we have seen, so essentially necessary to the safety of a State, no wise Prince, Minister, or Statesman, will neglect attending to the general manners and morals. No part of the function of Statesmen is more honourable, none more useful, none more indispensable, than a due attention to the general manners of the people. If a wise and good man were to wish to be in a high station, it would be for the sake of being thus serviceable to his fellow-creatures. But a little knowledge of the world shews us, that grandees of all denominations, as Emperors, Kings, Grand-dukes, Popes, Cardinals, Peers, Archbishops,

bishops, Bishops, &c. are great enemies to manners. Their height above the rest gives them an opportunity of daring, without fear of punishment, or almost of censure, to strike out from the limited path of virtue into the wilds of licentiousness; and the silliness of mankind, who admire a laced coat, whether it be a man or a monkey that wears it, leads them to imitate what reason teaches to abhor. There must be less of this in a well regulated republic, where all are nearly upon an equality, than in a monarchy, where the false glare of a court misleads the unthinking into the paths of ambition and corruption.

Do our great men consider how they expose themselves in setting such an example before the public?

How absurd titles without corresponding characters! To call a drinking, wh—ring, perfidious tyrant, as *Charles II.* his sacred, or his most excellent, or most religious Majesty; a debauched *Villiers*, and his trull, the Countess of *Shrewsbury*, right honourable; what grosser inconsistency in language can be imagined?

— Grant that those can conquer; those can cheat,

'Tis phrase absurd to call a villain great.

What can ennoble sots, or slaves, or cowards?

Alas, not all the blood of all the Howards. POPE.

Chartres, the basest of all rascals, was wont to say, he cared not one farthing for real virtues; but he would give 10,000*l.* for a character, because he could get by it 100,000*l.*

A person of quality thinks he may do what a cottager must not attempt. A worm of distinction crawling upon the *higher* protuberances of this dunghill may rebel against the eternal laws of the infinite Governor of the universe, while the base-born reptile, that is confined to the lower parts, must be obedient. Do our great worms consider, that he, whose laws they

are resisting, has only to arm with his vengeance one atom, and a world, a system, with all its inhabitants, great and small, are destroyed? Is a King, or an Emperor, a match for such power?

Men of narrow minds, when reproached upon their want of public spirit, cry out, what shall I get by serving those who shew no inclination to benefit me in return?

It is true, that mankind in general are a worthless and ungrateful set of beings, for a man to wear himself out in serving. But I am myself a worthless being, compared with my own ideas of worth, and with those in scripture; and if I do not lay myself out in the service of mankind, whom shall I serve? My insignificant self? That would be sordid indeed. If I apply myself with diligence, I may do good to several. If I regard only my single self, I serve but *one*, and him, perhaps, one of the most indifferent of the set.

But it is not true, that there is nothing to be gained by public spirit, or lost by the want of it. For there is a very serious light in which this matter is to be viewed, viz. That we are all embarked on the same bottom; and if our country sinks, we must sink with it.

But suppose there were literally nothing to be got by serving our country, antiquity exhibits a multitude of examples of great and good men serving their country without advantage, and in spite of unjust treatment. *Phocion*, though he had often commands in the army, was condemned to an undeserved death, and died poor, at a time when corruption was at a great height at *Athens*^a. When his friends lamented him, he comforted them by putting them in mind, that his fate was
the

^a ANT. UNIV. HIST. VI. 512.

the same with that of all the great and good men of *Athens*.

Xenophon got so little from his churlish countrymen, though he conducted the wonderful retreat of the ten thousand, that he found himself necessitated to engage in the service of *Seuthes* King of *Thrace*, and to sell his horse.

There is no end to the examples of this kind in the *Grecian* and *Roman* histories.

When we urge our rulers to begin a reformation, a thousand difficulties start up immediately. But when *Lycurgus* undertook to reform *Sparta*, did no difficulties lay in the way? And was not the case the same at *Athens*, when *Solon* set up his legislation? To persuade the great and rich to give up their possessions, and voluntarily descend to a level with the meanest, what could be more difficult? Yet *Lycurgus* accomplished it. The force of his legislation, and the manners introduced by it, are not quite vanished even in our times. The modern *Spartans* have more courage than any of their neighbours^a.

Confucius, the *Chinese* philosopher, produced a reformation in one of the oriental kingdoms in a few months^b.

Aristotle thinks, a regard for the virtue of the people is an essential part of the duty of governors^c. Περὶ δὲ ἀρετῆς, κ. τ. λ. It would be endless to quote what is written by *Plato*, and the other ancients to the same purpose.

‘ If government be the parent of manners, where
there

^a MOD. UNIV. HIST. XII. 572.

^b MOD. UNIV. HIST. VIII. 105.

^c *Arist.* POLIT. III. 9.

‘there are no heroic virtues, there can be no heroic government^a.’

One judicious regulation will often produce an effect of very salutary importance to a whole people; as experimental philosophy shews us, that a wire will secure a castle from the once supposed irresistible force of lightning, and that a muslin cover will stop the whole effect of a burning speculum, whose focus would melt an iron bar in a few seconds.

Human nature is originally the same in all ages and nations. Only in some it is more, in others less, debauched from its original tendencies.

It is certain, that by wise contrivance, honour might have been made, even in our luxurious and degenerate age and country, the most powerful of all incentives to good behaviour.

‘An able statesman can change the manners of the people at pleasure^b.’

It was a saying of *Solon*, the wisest of the *Greeks*, ‘That by rewards and punishments states were kept up^c.’

Tacitus^d observes, ‘*Plus ibi bonos mores, &c.* That good customs were more effectual for keeping up good behaviour among those ancient barbarous heathens, than good laws among other people,’ [among civilized Christians.]

When *Alexander*’s men mutinied, and he could not quiet them by gentle means, he sprung from his tribunal, seized with his own hands twelve of the most outrageous, and delivered them to his generals to be put to death. The rest returned to their duty^e.

When

^a *Harringt. OCEANA*, 198.

^b *Stuart’s POLIT. OECON.* I. 12.

^c *Ubb. Emm.* II. 244.

^d *DE MORIB. GERM.*

^e *Qu. Curt.*

When *Cæsar's* army refused to march, and to fight, he shamed them into obedience by bidding them be gone; for that he scorned their service, and would pursue his wars at the head of his own tenth legion. It so happened, that this braggadocio produced the desired effect^a.

When *Mohammed Almanzor* saw his army on the point of betaking themselves to flight, he dismounts, sits down with his arms across, and declares his determination not to fly like a coward, happen what would; that if his army chose to leave him in the hands of his enemies, they might. Shame prevailed over fear^b. These bold strokes are only to be struck in cases otherwise desperate.

Mankind may be brought to hold any principles, and to indulge any practices, and again to give them up.

The *Thracians* allowed their daughters to debauch themselves with men before marriage as much as they pleased; and only taught the necessity of restraining lust after marriage. Yet the *Thracians* were, to say the least, not so barbarous as many other nations; *Orpheus*, *Linus*, *Musæus*, *Thamyris*, and *Eumolpus*, were *Thracians*. Some nations allowed their young women to get, by prostitution, fortunes for marriage.

Herodotus tells us of an ancient people who ordered all their young women to prostitute themselves in the temple of *Venus* as a religious rite. The priests in some countries taught, that a young woman's being debauched by a holy man, sanctified and rendered her acceptable to the gods. In some countries it is fashionable for gentlemen to offer their wives to their guests, and to take it as a slight if the stranger declines the

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compliment.

^a *Cæs. COMM.*

^b *MOD. UNIV. HIST. XIX. 534.*

compliment. In some countries it is not more indecent to enjoy women in public, than among us to eat and drink in public. The ancient *Thracian* and modern *Indian* women, strive which shall be burned or buried alive with their deceased husbands.

Is there any notion of right and wrong about which mankind are universally agreed? If not, is it not evident, that by management, the human species may be moulded into any conceivable shape? How come we to know that antimony, or quicksilver, may, by chemical process, be changed into twenty different states, and again restored to their original state? Is it not by experiment? Are not the various legislations, institutions, regulations of wise or of designing statesmen, priests, and kings, a series of experiments, shewing, that human nature is susceptible of any form or character?

Romulus was so desirous of peopling his kingdom, that he admitted into *Rome* all sorts of people, even the most wicked^a. Yet there was not one parricide in *Rome* for 600 years, nor, according to some authors, one divorce (though every husband might put away his wife at pleasure) in 500 years. But they had censors, and the senate gave a constant attention to the behaviour of the people.

The *Roman* nation (says the excellent *Davenant*^b) was first composed of thieves, vagabonds, fugitive slaves, indebted persons, and outlaws; and yet by a good constitution and wholesome laws, they became and continued for some ages the most virtuous people that was ever known. So that as loose administration corrupts any society of men, so a wise, steady, and strict government will, in time, reform a country, let its manners have been ever so depraved.

Every

^a ANT. UNIV. HIST. XI. 282.

^b *Davenant*, II. 43:

Every reader knows the story of *Zaleucus*, lawgiver of the *Locrians*, who having made a law (much wanted at present in a certain country), that every man convicted of adultery should lose his eyes; and seeing his own son regularly condemned for that offence, that he might at the same time shew himself the father of his son, and of his people, consented to have one of his own eyes, and one of his son's, put out. In *England*, we seem to think laws want only to be made and printed.

‘The same wise legislator applied his chief care to
 ‘impressing the minds of the people with a sense of a
 ‘Deity, the author and governor of all things; his
 ‘attributes, goodness, justice, purity; who sees and
 ‘regards human characters, and loves and rewards
 ‘good men, who are obedient to the laws, and abhors
 ‘and punishes the wicked and licentious^a.’ But
Zaleucus was an ignorant *Heathen*, and imagined that men would be better subjects for being pious. Our governors (the reader will see I do not mean the present) are *Christians*, and live in an *improved* age. Therefore they lead their people to laugh at religion and conscience; they play at cards on *Sundays*, instead of countenancing the public worship of their Maker; they have made adultery a matter of merriment; they cheat at play whenever they can; they lead their inferiors into extravagance and dissipation by encouraging public diversions more luxurious and more debauched than all that ever the orientals exhibited; and lest shame should in some degree restrain them, they put on masks, and set it at defiance; they go to *Italy* to learn f—y; they appear in public with their drabs by their sides; they are the first and most extensive vio-

N 2

lators

^a *Ubb. Emm.* 11. 204.

lators of the laws themselves have made; they are the destroyers of the constitution, for by openly bribing electors and members, and by leading both clergy and laity into dissimulation and perjury, they destroy the virtue of the people, without which no constitution ever stood long. And after all this, they complain of the people's want of respect for them, and their disobedience to the laws.

Zaleucus made great use of the innate sense of shame in enforcing his laws and establishing virtuous practices. For instance, in order to repress extravagance in the ladies, he ordered, with severe penalty, that no woman should go out with more than one attendant, unless she was drunk; nor be a night from home, unless she was with a gallant; nor dress herself gorgeously, unless she was a prostitute by profession. He likewise forbid the men's dressing themselves in an effeminate manner, unless they were whoremongers and adulterers^a. These were good contrivances in a country in which shame had an influence. But such regulations would answer no end in a country where gentlemen were not ashamed of being thought adulterers, nor ladies of being known for professed whores. Governments, therefore, which suffer the sense of shame to be lost in their people, lose the best handle for governing them by, and must thank themselves if they find them ungovernable. O shame to debauched *Christians*! Such was the sanctity of manners of the ancient *Heathen* court of *Areopagus*, that the members of it were not allowed to enter a tavern. If they did, they were expelled without mercy^b.

No

^a *Ubb. Emm.* 11. 296.

^b *Ant. Thys. DE REPUB. ATHEN.* 249.

No man could be an *Athenian* archon, or magistrate, unless his character and life could bear the strictest examination^a. And to be of the high court of *Areopagus*, was an unquestionable testimonial^b. Even in the degenerate times of the republic, when a few persons of indifferent characters got into that sacred society, it was observed, that they reformed their manners^c. The court of *Areopagus* preserved the dignity of its character to the last, even under the dominion of tyrants, and after the *Athenian* liberty was gone^d. The *Athenians* did not suffer any man of an infamous character for lewdness, impiety, cowardice, or debt, to vote in the *ἐκκλησία*, or assembly of the people^e.

When one of the *Athenian* thesmothetæ was out of his office, and was to be advanced to the court of *Areopagus*, proclamation was made, that any one might accuse him of any mal-administration he could prove against him, while in office. If it was only found, that he had been too niggardly in his manner of living, so slight an objection excluded him.

It was not to be wondered, that an areopagite was revered by the people. And it would be wonderful, if the members of one of our highest courts, (be sure I cannot mean the present) were esteemed by the people, while many of them openly profess to be as much beyond their inferiors in wickedness as in station.

The authors of the ANCIENT UNIVERSAL HISTORY, vol. viii. p. 2. ascribe the long continuance of the *Spartan* commonwealth to the virtue of the people.

At *Sparta*, the poets could not publish any thing without licence: and all immoral writings were prohibited.

The liberty and other emoluments which were enjoyed at *Athens* drawing thither a great concourse of people

N. 3

^a Ubb. Emm. DE REP. ATHEN. I. 27.

^b Ibid. 31.

^c Ibid. 33.

^d Ibid. 36.

^e Ibid. 50.

‘ people from other parts, *Solon* foresaw, that this would
 ‘ have bad consequences, if some means were not devised
 ‘ to make these people industrious; he therefore esta-
 ‘ blished a law, that a son should be released from all
 ‘ obligation to maintain an aged father, in case that
 ‘ father had not bred him up to some trade. He vested
 ‘ the court of *Areopagus* with a power of examining
 ‘ how people lived, and of punishing idleness: he al-
 ‘ lowed every man a right to prosecute another for that
 ‘ crime, and in case a person was convicted of it thrice,
 ‘ he suffered *Atimia*, i. e. infamy.

‘ *Herodotus* and *Diodorus Siculus* agree, that a law of
 ‘ of this kind was in use in *Egypt*. It is probable,
 ‘ therefore, that *Solon*, who was thoroughly acquainted
 ‘ with the learning of that nation, borrowed it from
 ‘ them, a practice for which the *Greeks* were famous,
 ‘ though at the same time they styled those nations bar-
 ‘ barous from whom their own laws and policy were
 ‘ borrowed.—He enacted, that whoever refused to
 ‘ maintain his parents, or had wasted his paternal
 ‘ estate, should be infamous. It seems, *Solon* did not
 ‘ conceive that a man could be privately bad, and pub-
 ‘ lickly good, that one who neglected his duty to his
 ‘ parents should preserve it to the state, or be frugal of
 ‘ his country’s revenue who had spent his own^a.

When the *Athenians* became corrupt, they grew irre-
 ligious, and assisted the *Phocæans* to plunder the temple
 of *Delphi*, though they could not confute the general
 opinion of *Apollo*’s being really a god^b. So our go-
 vernors laugh at the Christian religion, which they
 have never so fully considered, so as to be able to pro-
 duce any good reasons against its credibility, or rather
 which they are so ignorant of, as not to know the most
 plausible objections against it.

‘ *Nec*

^a ANT. UNIV. HIST. VI. 312.

^b Ibid. 511.

‘*Nec numero Hispanos, &c.* We have neither conquered *Spain* by numbers, nor *Gaul* by martial power, nor *Carthage* by craft, nor *Greece* by art; but we have prevailed over all nations by our being wise enough to know, that all human affairs are directed by the Divine Providence^a.’ So says *Cicero*. But *Cicero* was an ignorant heathen. Our modern Christian statesmen are wiser than to regard the doctrine of their own scripture, ‘That righteousness exalteth a nation; and that sin is the reproach of a people.’

Aristotle thinks a government compounded of monarchy, aristocracy, and democracy, the best. I suppose he thought that form of government the best, which had the broadest foundation, as least likely to throw the power into the hands of one, or a few, which are proper tyrannies. For my part, what I have read and seen, convinces me, that the great danger to liberty arises from a court possessed of a large revenue, and united together into a compact junto under a tyrant, who either actively supports them in their conspiracy against the people, or passively permits them to screen their villanies under his name.

Aristotle blames the *Carthaginian* constitution, because they would not choose into a station of power the most virtuous and able man, unless he was likewise rich. This led, he thought, too much to aristocracy. A needy man, they pretended, could hardly be supposed to have a mind sufficiently vacant for attending to public concerns. But the philosopher observes, that then the business was, to find honest and able men, to put them in easy circumstances, and then give them the management of public affairs.

N 4

Lycurgus's

^a *Cic. PRO RULLO.*

Lycurgus's intention^a was to limit within proper bounds the power of the commons; to keep up equality among the people, the best nurse of concord, and strength of republics; to accustom the *Spartans*, from their childhood, to obey law and just authority, to live temperately, to subdue inordinate desires, to bear labour, to be patient under hardships, to be ready to run hazards for their country, and to suffer death, rather than act a part unworthy of a *Spartan*.

Solon made idleness penal at *Athens*^b. *Herodotus* and *Diodorus Siculus* say, the *Egyptians* had a law to the same purpose.

The *Castilians* obliged every man to live agreeably to his rank, that there might be no temptation to expence, and consequent dependency and corruption^c.

The *Athenians* publicly rewarded merit, as well as punished guilt. The honour of the προεδρία, or first seat at the public shows must have had great effects. We give seats in the house of peers, as well as in the playhouse, to the richest, not to the worthiest. Even learned degrees are given at our universities to men of quality, on account of their birth and fortune, in spite of the grossest ignorance. The *Athenians* punished ingratitude.

In the early ages of the *Roman* republic, no man openly canvassed for places of power and trust. In the degenerate times of *Cinna*, *Sylla*, *Cæsar*, and *Pompey*, this modest reserve was thrown off, and the open contentions for honours and employments ran high. In the early ages of *Rome*, men placed their notions of honour in living frugally and serving their country.

In

^a *Ubb. Emm. DE REP. LACO. . I. 217.*

^b *Plut. in Solon, Την ἐξ Ἀρείᾳ Πάγῃ Ἑλλην, κ. 7. λ.*

^c *MOD. UNIV. HIST. XX. 287.*

In the degenerate times, it was honourable to live expensively on the spoils of their country.

Plato says^a, unless philosophers undertake the government of states, or statesmen put on the character of philosophers, so as that wisdom and power may be in possession of the same persons, there will be no end to the distresses of mankind. *Εαν μὴ ην δ'εγω, κ. τ. λ.*

It is impossible, says *Plato*^b, that both riches and virtue should be held in supreme estimation in a state. One or the other will prevail; and according as one or the other prevails, the security or the ruin of the state is confirmed.

It is hard for a state to be secure, unless it be either made impossible, as in *Sparta*, for individuals to grow dangerously rich and powerful, or provision be made against the evil effects of overgrown riches and power in subjects. With this view the ancient republics subjected to banishment for a time, by the ostracism, or petalism, those citizens, whose overgrown riches and excessive popularity, seemed dangerous to manners or to liberty.

‘Vice and ignorance are the only support of tyranny, as virtue and knowledge are the only support of freedom. Tell a wise man what kind of government is established in any particular society, and he will tell you what are the manners, and what the understandings of the members of that society.’ The court-sycophant *Clarendon*, makes a matter of wonder, that the parliament’s army was more orderly than the tyrant’s. But the excellent Mrs. *Macaulay* shews, that it was to be expected, the better cause should have the better defenders, and contrariwise^d.

Rousseau

^a DE REPUBL. V. in fine.

^b Ibid. VIII.

^c *Macaul.* IV. 182.

^d Ibid.

Rousseau endeavours to depreciate knowledge, as the cause of pride and other vices, which deform the species. But he is diametrically wrong. For it is not knowledge, but the want of knowledge, that produces pride. The most ignorant clown is not more modest than were *Socrates*, *Newton*, *Boerhaave*, *Hales*. Extensive knowledge naturally leads to a just sense of human weakness.

In parts superior what advantage lies?

Say (for you can) what is it to be wise?

'Tis but to know how little can be known,

To see all others wants, and feel our own. POPE.

It might be of good use to take care, that enormous riches be discountenanced, and made an objection to the advancement of individuals.

If there were a *ne plus ultra*, beyond which individuals could not go, they would, after attaining the limited sum, turn their ambition into another channel. As it is, there remains no object of pursuit, but money, money, money, to the end of life.

‘Whoever contrives to make a people very rich and great, lays the foundation of their misery and destruction.—No condition is durable, but such as is established in mediocrity’.

The first decline of the *Spartan* commonwealth was caused by the introduction of riches in consequence of *Lyfander*’s conquests^b. The *Roman* virtue begun to decline from the time of *Lucullus*’s conquests in the East. The *Spartans* chose their ephori out of the meanest rank, if they could not find proper men in the higher^c. ’Tis true, there was but little variety of ranks among the *Spartans*.

Tiberius

^a *Fletcher*, p. 438.

^b *Ubb. Emm.* 1. 329.

^c *Ibid.* 1. 63.

Tiberius Gracchus proposed the revival of the law, by which no person was permitted to possess more than 500 acres of land ^a.

A very salutary law was proposed by *Licinius* for preventing exorbitant riches ^b.

Yet the same *Licinius* was afterwards fined for having 1000 acres of land, while the law limited him to 500. He had falsely given in half the land as belonging to his brother.

Exorbitant riches in the hands of individuals, while the public treasures are exhausted, like swelled legs with an emaciated body, are a symptom of decline in a state.

Who can imagine, that *Crassus* could, by justifiable means, amass the enormous sum of 1,356,000*l.* sterling ^c.

When *Curius Dentatus* was offered, for his great service in conquering *Pyrrhus*, 50 acres of land, he refused it, saying, That a citizen, who cannot content himself with seven acres, is dangerous to the community ^d. *Cornelius Ruffenus*, who had been consul and dictator, was struck out of the list of senators for having in his house ten pounds weight of plate ^e. The Roman ambassadors were presented by *Ptolemy* with a golden crown each. They declined his present, and set the crowns on the heads of the king's statues. Which superiority to riches gained the Romans great respect in Egypt ^f.

Montesquieu ^g thinks equality ought to be preserved in a state, by all possible means.

By

^a ANT. UNIV. HIST. XII. 403.

^b Ibid. 24.

^c Ibid. XIII. 127.

^d Ibid. XII. 150.

^e Ibid. 151.

^f Ibid. 152.

^g L'ESPR. DES LOIX, I. 74.

By our constitution, a part of a gentleman's estate may be taken from him for the advantage of a public road, and a value set upon the damage by jury. Yet that price may be much below what he would choose to take for the land ; but private advantage must yield to public.

No subject in any country ought to be exorbitantly rich. It is a thing of ill example, and excites unbounded desires, which lay men open to corruption.

Would it be any great hardship, if there were a law, that no *British* subject should have above 10,000 *l.* a year? 'My opinion,' says the *Czarina*^a, 'inclines
'most to the *division* of property, as I esteem it my
'duty to wish, that every one should have a compe-
'tency. The state will receive more benefit from se-
'veral thousands of subjects, who enjoy a competency,
'than from a few hundreds immensely rich.'

Most men are ruined by growing rich. Here follows, however, an instance to the contrary, which I insert for the sake of the noble example and instruction it exhibits.

'In the year 1464, died *Cosmo de Medici*, who,
'though the private subject of a republic, had more
'riches than any king in *Europe*, and laid out more
'money in works of taste, magnificence, learning, and
'charity, than all the kings, princes, and states of that,
'the preceding, or the subsequent age; those of his
'own family excepted. The riches he was possessed
'of would appear incredible, did not the monuments of
'his magnificence still remain, and did not his con-
'temporaries give us unquestionable testimonies both
'of them and his liberality. They were such that we
'are

^a INSTR. p. 174.

are tempted to believe, that he and his family knew of some channels of commerce that have been lost, probably by the discovery of *America*, and the frequency of the *East Indian* commerce by sea, to which the *Europeans*, in his time, were almost strangers. He lent vast sums of money to the public, the payment of which he never required; and there scarcely was a citizen in *Florence* whom he did not at one time or other assist with money, without the smallest expectation of its being returned. His religious foundations were prodigious. Not contented with having founded so many religious edifices, he endowed them likewise, with rich furniture, magnificent altars, and chapels. His private buildings were equally sumptuous. His palace in *Florence* exceeded that of any sovereign prince, in his time; and he had other palaces at *Coreggio*, *Fesole*, *Casaggivolo*, and *Febrio*. His munificence even reached *Jerusalem*, where he erected a noble hospital for distressed pilgrims.

In those works of more than royal expence, he might have been equalled by men equally rich; but his deportment and manner were unexampled. In his private conversation he was humble, unaffected, unassuming. Every thing regarding his person was plain, modest, and nothing differing from the middling rank of people; thereby giving a proof of his virtue, and wisdom, because nothing is more dangerous in a commonwealth than pomp and parade. His expences begot no envy, because laid out in embellishing his country, of which all his fellow-citizens partook. *Cosmo*, with all that simplicity of life, had towering bold notions of his country's dignity and interest. His intelligence was beyond that of any prince of *Europe*, and there scarcely was a court where

‘ he did not entertain a private agent. His long continuance in power, viz. for thirty-one years, is a proof of his great abilities, as the modest use he made of his power is of his disposition ^a.’

‘ It is to little purpose, that we multiply systems, doctrines, and moral treatises. Till government shall connect honour and prosperity with virtue, and infamy and unhappiness with vice, little will be effected. That country stands most in need of rewards and punishments, where patriotism is at the lowest ebb ^b.’

A wrong disposition in a people may be corrected by playing contrary passions against one another. Are they proud and lazy, like the *Spaniards*? Let the government give honours to the industrious, and disgrace the idle, &c. Are they (like the *French*) too much given to war? Let a *Fleury* encourage the arts of peace among them, attaching to those arts all the honours and advantages, and withdrawing the people from a delight in the art of murder. Are they, like the *English*, degenerating from that love of liberty, which was the glory of their ancestors, and sinking into the sordid love of riches and pleasure? Let a patriot king insist on laws and regulations for gradually abolishing places and pensions, and restoring the nation to the condition it was in, when bribery was impossible; and so on.

‘ I have often thought (says Lord *Bathurst* in his LETTER to *Swift*) that if ten or a dozen patriots, who are rich enough to have ten dishes every day for dinner, would invite their friends to only two or three, it might perhaps shame those, who cannot afford two, from having constantly ten, and so it would

^a MOD. UNIV. HIST. xxxvi. 302.

^b LOND. MAG. July 1771, p. 347.

‘ would be in every other circumstance of life, But
 ‘ luxury is our ruin.’

No nation ever was very corrupt under a long continued virtuous government, nor virtuous under a long continued vicious administration. Whether this country is, and has long been very corrupt, let the reader determine, after he has impartially considered the contents of these volumes.

He who formed the human mind, and who therefore must be the best judge of the proper means for influencing it, has shewn us, that he judges those to be, the proposing of rewards and punishments, the former to act upon the hopes, and the latter upon the fears of our species. And though it be true, that beings, who attach themselves to a right course of action, and avoid the contrary, from motives of this kind, are less praiseworthy than those who love virtue and abhor vice for their own sakes merely, yet is it equally certain, that in this early state of moral discipline, no incentives more efficacious could have been found. What so likely to startle a mad miscreant, and stop him in his vicious career, as the denunciation of punishments both in this world and the next, those punishments to be inflicted by a hand that is omnipotent and irresistible. The disinterested love of virtue and hatred of vice must come afterwards.

As to moral character, mankind may be divided into three classes: 1. The meaner and more sordid, who are a great part of the species, whose minds, or the earthy substance they have instead of minds, are capable of being drawn to decency *only* by the gross allurements of *pecuniary* rewards; and of being deterred from open wickedness *only* by the fear of prisons, fines, and corporal punishments. 2. The next rank above these, are
 persons

persons of a nobler character, who are capable of great and good actions, when attended with fame and glory.

3. The highest, or those few of our species, who are more angels than men, are they, who love virtue for its own sake, without glory, and even with infamy and suffering, and who abhor vice though attended with profit, and surrounded with the false glare of honours, titles, and preferments. It is *only* with the first and second of these classes, that the statesman can have any thing to do. Those of the third are infinitely above his arts, and want neither allurements to virtue nor determents from vice; as they find both in the happy dispositions of their own godlike minds.

‘ *Il est du plus grand interet, &c.* It is of supreme consequence to the state, that through the wise providence of the government, the people of all ranks observe the rules of justice in their intercourse with one another. It is evident, that, if men accustomed themselves to do to others, as they might, in reason, expect others to do by them, either there would be no injury done, or every injury would be more than repaired, which would render life infinitely happier for all ranks, high and low, than we see it^a.’

By the laws of *Geneva*, the son of a person who died insolvent, is excluded from the magistracy, and even from a seat in the great council, unless he pays his father’s debts^b.

‘ The true love of liberty, (says Mrs. *Macaulay*) is founded in virtue^c.’ She therefore generously apologises for the seeming preciseness of manners, which appeared in the republican parliament, by

^a *S. Pierre* OEUVR. POLIT. XI, 30.

^b *Montesq.* L’ESPRIT DES LOIX, II. 173.

^c *HIST.* v. 386.

by urging in their favour, that they had sincerely at heart the promoting of virtue and religion among the people.

Many useful bills were left depending when *Cromwell* dissolved the parliament. As, for uniting *Scotland* and *England*. For county registers. For compelling able debtors to pay, and relieving insolvents. For preserving and increasing timber. For regulating weights and measures. For amending and reducing into one, the laws against fornication and adultery^a. For suppressing the detestable sins of incest, adultery, and fornication^b. For prohibiting cock-matches^c. Against challenges and duels, and all provocations thereto. For contribution of one meal in the week for raising and arming forces against the tyrant. For punishing such persons as live at high rates, and have no visible estate, profession, or calling answerable. Against drinking healths^d, &c.

The oath in *Cromwell's* time runs thus, 'I *A. B.* do, 'in the presence of Almighty God, promise and swear, ' &c.' Much more solemn than the unmeaning oath we use^e; which is worse than useless; as unthinking people are in no degree awed by it; and damn themselves before they are aware. The *Irish* form of an oath is very awful. The oath among the *Siberians* is a most terrible string of imprecations; 'May the bear 'tear me to pieces in the wood; may the bread I eat 'stick in my throat, &c. if I do not speak truth.' The *Tungusians* in *Russia* kill a dog, and burn his body, and imprecate on themselves the same fate, &c.^f.

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^a PARL. HIST. XXI. 203.

^b Macaul. HIST. V.

^c Ibid.

^d PARL. HIST. XX. 398.

^e Ibid. XXI. 128.

^f MOD. UNIV. HIST. XXIV. 73.

The form of the oath at *Athens* was very terrible, consisting of dreadful imprecations; and at *Athens* a false witness was punished in the same manner as the accused would have been, if regularly convicted. 'To make an oath too cheap, by frequent practice, is to weaken the obligation of it, and destroy its efficacy^a.'

Themistocles did once say, that of a small city, he could make a great people. This he spoke from the right sense he had of his own abilities and skill. Governors and magistrates that are the reverse of him, and who rule weakly, can render a potent country in a short time poor, despised, and miserable. Such to whom government is entrusted, should endeavour to hinder the growth of all kind of vices, as intemperance and luxury: for luxury is the parent of want, and want begets in the minds of men disobedience and desire of change. To see that impiety be not countenanced, nor books scattered among the vulgar, which tend to the overthrow or weakening of the general notions of religion, should be no less their care. It is no less their duty to promote virtue, and to encourage merit of any kind, and to give it their helping hand: such as have been counted great and able statesmen in all countries have so done; and judged that to propagate what was good, and to suppress vice, was the most material part of government. They should discountenance immoralities of all sorts; they should see them exposed in public; they should cause the pulpits to declaim against them; they should make them a bar to preferment, and the laws should be all pointed against them^b.

If

^a *Czar. INSTR.* 96.

^b *Daven.* II. 44.

‘ If philosophy will not suffice to bind the common
‘ people to their duty, what must be said of some mo-
‘ dern politicians who shew no desire of setting up
‘ morality, and yet are pulling down revealed religion?
‘ Statesmen have been accused of being uncertain them-
‘ selves in religious points; but, till lately they were
‘ never seen to countenance in others such a looseness;
‘ and till of late years it was never known a recom-
‘ mendation to preferment. Would it any thing avail
‘ the public to have the settled opinions concerning
‘ divine matters quite altered by the law? If not, why
‘ do such as propose innovations in revealed religion,
‘ find so many open advocates, and those of the highest
‘ rank? How comes it to pass that the majority suffer
‘ themselves to be guided, and often with hard reins,
‘ by a small number? Can it be imagined this is
‘ brought about merely by a right disposition of power,
‘ whereby the weak come to hold the strong in their
‘ dominion? Or can it be thought that laws are suf-
‘ ficient to subject the bodies of men to government,
‘ unless something else did constrain their conscience
‘ and their minds? It is hardly to be doubted but that
‘ if the common people are once induced to lay aside
‘ religion, they will quickly cast off all fear of their
‘ rulers. But such as object against revealed religion,
‘ as it is now transmitted to us, have they another
‘ scheme ready? When they have pulled down the
‘ old frame, can they set up a better in its room?
‘ Most certainly by their own lives, either in private,
‘ or in relation to the public, they seem very unfit
‘ apostles to propagate a new belief. When the com-
‘ mon people all of a sudden become corrupt, and by
‘ quicker steps than was ever known; when they do
‘ not revere the laws; when there is no mutual justice
‘ among them; when they defraud the prince; when
‘ they

‘ they prostitute their voices in elections, it may be
‘ certainly concluded that such a country is by the ar-
‘ tifice of some, and the negligence of others, set loose
‘ in the principles of religion. Nothing therefore can
‘ more conduce to correcting the manners of a depraved
‘ people, than a due care of religious matters ; a right
‘ devotion to God will beget patience in national cala-
‘ mities, submission to the laws, obedience to the
‘ prince, love to one another, and a hatred to faction ;
‘ and it will produce in the minds of all the different
‘ ranks of men, true zeal and affection to their coun-
‘ try’s welfare^a. The preventive remedy against such
‘ distempers is to be had from the precepts of mora-
‘ lity, which writers upon all sorts of subjects should
‘ endeavour to inculcate. For the vices or virtues of
‘ a country influence very much in all its business ; so
‘ that he who would propose methods, by which the
‘ affairs of a kingdom may be any ways bettered, should
‘ at the same time consider the predominant passions,
‘ the morals, temper, and inclinations of the people^b.’

‘ *Cest le sublime de la politique, &c.* It is the height
‘ of political sagacity to establish society on such prin-
‘ ciples, that it shall preserve itself, and shall conti-
‘ nually tend to its own improvement. For this pur-
‘ pose it is necessary that each member in the gover-
‘ ning part of such a society, shall find, that he gets
‘ more profit or honour by consulting the common in-
‘ terest, than he could by attending only to his own
‘ private advantage.

‘ From this maxim, that the most powerful motive
‘ for setting mankind to work, is, duly rewarding abi-
‘ lities and virtues, may be deduced, and explained all
‘ the causes of the rise and fall of states, and a pro-
‘ bable

^a *Daven.* 11. 46.

^b *Ibid.* 11. 76.

‘ bable conjecture of their future fate, and on what
 ‘ side their decline will begin. I invite my philoso-
 ‘ phical successors to pursue this thought, and to apply
 ‘ this maxim to the ancient states, which have perished,
 ‘ and on whose ruins the foundation of new ones has
 ‘ been laid ^a.’

‘ Let any man, who has knowledge enough for it,
 ‘ first compare the natural state of *Great Britain*, and
 ‘ of the United Provinces, and then their artificial state
 ‘ together; that is, let him consider minutely the ad-
 ‘ vantages we have by the situation, extent, and na-
 ‘ ture of our island, over the inhabitants of a few salt
 ‘ marshes gained on the sea, and hardly defended from
 ‘ it; and after that, let him consider how nearly these
 ‘ provinces have raised themselves to an equality of
 ‘ wealth and power with the kingdom of *Great Britain*.
 ‘ From whence arises the difference of improvement?
 ‘ It arises plainly from hence: the *Dutch* have been,
 ‘ from the foundation of their commonwealth, a nation
 ‘ of patriots and merchants. The spirit of that peo-
 ‘ ple has not been diverted from these two objects, the
 ‘ defence of their liberty, and the improvement of their
 ‘ trade and commerce, which have been carried on by
 ‘ them, with uninterrupted and unslackened applica-
 ‘ tion, industry, order, and œconomy. In *Great Bri-*
 ‘ *tain*, the case has not been the same in either re-
 ‘ spects ^b.’

On the necessity of attention to the manners of the
 people, the following protest against the gin-act,
 1742, is excellent.

‘ Because the act of the 9th of his present Majesty,
 ‘ to prevent the excessive drinking of spirituous liquors,
 ‘ which is by this bill to be repealed, declares, that the
 O 3 ‘ drinking

^a *S. Pierre*, vi. 51.

^b *Bolingbr. Id. PATR. KING*, 187.

‘ drinking of spirituous liquors, or strong waters, is
‘ become very common, especially amongst the people
‘ of inferior ranks, the constant and excessive use
‘ whereof tends greatly to the destruction of their
‘ healths, rendering them unfit for useful labour and
‘ business, debauching their morals, and inciting them
‘ to perpetrate all manner of vice; and the ill conse-
‘ quences of the excessive use of such liquors, are not
‘ confined to the present generation, but extend to fu-
‘ ture ages, and tend to the devastation and ruin of
‘ this kingdom. We therefore apprehend, that if an
‘ act designed to remedy such indisputable mischiefs,
‘ was not found adequate to its salutary intention, the
‘ wisdom of the legislature ought to have examined its
‘ imperfections, and supplied its defects, and not have
‘ rescinded it by a law, authorising the manifold ca-
‘ lamities it was calculated to prevent. 2. Because
‘ the refusing to admit the most eminent physicians to
‘ give their opinions of the fatal consequences of these
‘ poisonous liquors, may be construed without doors,
‘ as a resolution of this house to suppress all authentick
‘ information of the pernicious effects of the health
‘ and morals of mankind, which will necessarily flow
‘ from the unrestrained licentiousness permitted by this
‘ bill. 3. Because, as it is the inherent duty of every
‘ legislature to be watchful in protecting the lives, and
‘ preserving the morals of the people, so the availing
‘ itself of their vices, debaucheries, and consequential
‘ miseries to the destruction of millions, is a manifest
‘ inversion of the fundamental principles of natural
‘ polity, and contrary to these social emoluments,
‘ by which government alone is instituted. 4. Because
‘ the opulence and power of a nation depend upon the
‘ numbers, vigour, and industry of its people; and its
‘ liberty and happiness on their temperance and mora-
‘ lity;

lity; to all which this bill threatens destruction by authorizing fifty thousand houses, the number admitted in the debate, to retail a poison, which by universal experience is known to debilitate the strong, and destroy the weak; to extinguish industry, and to inflame those intoxicated by its malignant efficacy, to perpetrate the most heinous crimes: for what confusion and calamities may not be expected, when near a twentieth part of the houses in the kingdom shall be converted into seminaries of drunkenness and profligacy, authorized and protected by the legislative powers? And as we conceive the contributions to be paid by these infamous recesses, and the money to be raised by this destructive project, are considerations highly unworthy the attention of parliament, when compared with the extensive evils from thence arising, so are we of opinion, that if the real exigences of the public required raising the immense sums this year granted, they could by no means palliate the having recourse to a supply founded on the indulgence of debauchery, the encouragement of crimes, and the destruction of the human race^a.

Let us hear the lord *Hervy* on the same subject.

In the time of the late ministry, it has been observed that drunkenness was become a vice almost universal among the common people; and that as the liquor which they generally drank, was such, that they could destroy their reason by a small quantity, and at a small expence; the consequence of general drunkenness was general idleness: since no man would work any longer than was necessary to lay him asleep, for the remaining part of the day. They remarked likewise that the liquor, which they generally drank, was to the

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last

^a DEB. PEERS. VIII. 479.

‘ last degree pernicious to health, and destructive of
 ‘ that corporeal vigour, by which the business of life is
 ‘ to be carried on; and a law was therefore made, by
 ‘ which it was intended that this species of debauchery,
 ‘ so peculiarly fatal, should be prevented. Against
 ‘ the end of this law, no man has hitherto made the
 ‘ least objection; no one hardened to signalize himself
 ‘ as an open advocate for vice, or attempted to prove,
 ‘ that drunkenness was not injurious to society, and
 ‘ contrary to the true ends of human being. The en-
 ‘ couragement of wickedness of this shameful kind,
 ‘ wickedness equally contemptible and hateful, was re-
 ‘ served for the present ministry, who are now about to
 ‘ supply those funds which they have exhausted by
 ‘ idle projects, and romantic expeditions, at the ex-
 ‘ pence of health and virtue, who have discovered a
 ‘ method of recruiting armies by the destruction of
 ‘ their fellow subjects, and while they boast themselves
 ‘ the asserters of liberty, are endeavouring to enslave
 ‘ us by the introduction of these vices, which in all
 ‘ countries, and in every age, have made way for de-
 ‘ spotic power^a.’

Manners, religion, and education are articles in
Richlieu's POLIT. TESTAM. which shews that he
 thought them a part of the concern of government.
 Our ministers would laugh in any body's face, who
 proposed to them any regulation upon any of these sub-
 jects.

The *Czarina* desires her grantees to prepare the
 people for the reception of new laws^b. Our grantees
 (the reader sees I do not mean the present) would be
 the most improper set of men in the nation, to be
 employed

^a DEB. PEERS, VIII. 270.

^b *Czar*. INSTR. p. 80.

employed in preparing the people for receiving a set of new and better laws. Themselves the great violators of all laws divine and human, they would be more likely to teach the people to be lawless, than more regular in their behaviour.

My worthy friend Mr. Professor *Ferguson*, of *Edinburgh*, thus describes the character and manner of life of men in higher stations, who are void of public spirit^a.

‘ Men of business and of industry in the inferior
 ‘ stations of life retain their occupations, and are se-
 ‘ cured by a kind of necessity in the possession of those
 ‘ habits on which they rely for their quiet, and for the
 ‘ moderate enjoyments of life. But the higher orders
 ‘ of men, if they relinquish the state, if they cease to
 ‘ possess that courage and elevation of mind, and to
 ‘ exercise those talents which are employed in its de-
 ‘ fence and its government, are, in reality, by the
 ‘ seeming advantages of their station, become the refuse
 ‘ of that society of which they once were the ornament;
 ‘ and from being the most respectable, and the most
 ‘ happy of its members, are become the most wretched
 ‘ and corrupt. In their approach to this condition,
 ‘ and in the absence of every manly occupation, they
 ‘ feel a dissatisfaction and languor which they cannot
 ‘ explain. They pine in the midst of apparent enjoy-
 ‘ ments; or by the variety and caprice of their diffe-
 ‘ rent pursuits and amusements, exhibit a state of agi-
 ‘ tation, which, like the disquiet of sickness, is not a
 ‘ proof of enjoyment or pleasure, but of suffering and
 ‘ pain. The care of his buildings, his equipage, or
 ‘ his table, is chosen by one; literary amusement, or
 ‘ some frivolous study, by another. The sports of the
 ‘ country, and the diversions of the town; the gaming
 ‘ table,

^a *Ferg.* Civ. Soc. p. 399.

‘ table, dogs, horses, and wine, are employed to fill
‘ up the blank of a listless and unprofitable life.
‘ These different occupations differ from each other in
‘ respect to their dignity, and their innocence: but
‘ none of them are the schools from which men are
‘ brought to sustain the tottering fortune of nations;
‘ they are equally avocations from what ought to be
‘ the principal pursuit of man, the good of mankind.
‘ They speak of human pursuits as if the whole diffi-
‘ culty were to find something to do. They fix on
‘ some frivolous occupation, as if there was nothing
‘ that deserved to be done. They consider what tends
‘ to the good of their fellow-creatures as a disadvantage
‘ to themselves. They fly from every scene on which
‘ any efforts of vigour are required, or in which they
‘ might be allured to perform any service to their
‘ country. We misapply our compassion in pitying
‘ the poor; it were much more justly applied to the
‘ rich, who become the first victims of that wretched
‘ insignificance, into which the members of every cor-
‘ rupted state, by the tendency of their weaknesses and
‘ their vices, are in haste to plunge themselves.’

The perverseness of statesmen, in almost all ages and countries, with respect to this part of their duty, is very unfortunate for mankind. Governments have it not in their power to do their subjects the least service as to their religious belief and mode of worship. On the contrary, whenever the civil magistrate interposes his authority in matter of religion, otherwise than in keeping the *peace* amongst *all* religious parties, you may trace every step he has taken by the mischievous effects his interposition has produced (of which more elsewhere), at the same time, that he has it in his power to do inexpressible service to the people under his care, by a strict attention to their manners and behaviour.

A king,

A king, a statesman, or a magistrate, who does not know this, is very improperly situated in the high station he fills; yet all history exhibits proofs of their misconduct in this respect. They have perpetually harassed themselves and their people about matters of belief, and forms of worship, and have neglected the most important duty of their function, the regulating of the moral and political principles and manners of the people.

The reason of this wrong-headed conduct is very shameful for our rulers, viz. because by joining forces with those of the priesthood, and labouring for the establishment of what they are pleased to call the true church, the true faith, &c. (which are different in almost every different country) they open to themselves a direct path to enslaving the people; whereas by guiding them into right, moral, and political principles and manners, they might enable them to judge soundly of the conduct of those in power, and inspire them with a noble spirit of resistance to tyranny, the most formidable of all dispositions to the greatest part of statesmen.

At the same time that our rulers shew great zeal for the true church, that is, a great desire to keep up the sacerdotal power, that the priesthood may in return keep up theirs, we see them make no hesitation to declare their disbelief of all religion. Christianity, according to them, is a fiction; but yet the church of *England* is the only true christian church. The inferior people seeing those of higher stations ranging themselves on the side of infidelity, are very much hurt in their manners. But christianity, for any thing the greatest part of our nobility and gentry know, may be either true or false. They do not know the strongest objections, having never given themselves time to examine

amine the subject, so that their belief or disbelief are of very little consequence to the people; but the declaration of their disbelief shews very little regard to the good of their country.

Whether it be agreeable to sound policy for the rulers of countries to throw contempt upon the religion of their countries, let the excellent *Montague*^a decide.

‘ The Romans founded their system of policy at the
‘ very origin of their state upon that best and wisest
‘ principle, the fear of the Gods, [what we should
‘ call] a firm belief of a divine superintending provi-
‘ dence, and a future state of rewards and punishments.
‘ Their children were trained up in this belief from
‘ tender infancy, which took root and grew up with
‘ them by the influence of an excellent education,
‘ where they had the benefit of example as well as pre-
‘ cept. Hence we read of no heathen nation in the
‘ world where both the public and private duties of
‘ religion were so strictly adhered to, and so scrupulously
‘ observed, as amongst the *Romans*. They imputed
‘ their good or bad success to their observance of these
‘ duties, and they received public prosperities or pub-
‘ lic calamities, as blessings conferred, or punishments
‘ inflicted, by their Gods. Their historians hardly
‘ ever give us an account of any defeat received by that
‘ people, which they do not ascribe to the omission or
‘ contempt of some religious ceremony by their Gene-
‘ rals. For though the ceremonies there mentioned
‘ justly appear to us instances of the most absurd and
‘ most extravagant superstition, yet as they were es-
‘ teemed essential acts of religion by the *Romans*, they
‘ must consequently carry all the force of religious
‘ principle. We neither exceeded (says *Cicero*, speak-
‘ ing

^a *Montag.* ANT. REPUBL. p. 294.

‘ ing of his countrymen) the *Spaniards* in number, nor
‘ did we excel the *Gauls* in strength of body, nor the
‘ *Carthaginians* in craft, nor the *Greeks* in arts or sci-
‘ ences. But we have indisputably surpassed all the
‘ nations in the universe in piety and attachment to reli-
‘ gion, and in the only point which can be called true
‘ wisdom, a thorough conviction that all things here
‘ below are directed and governed by Divine Provi-
‘ dence. To this principle alone *Cicero* wisely attri-
‘ butes the grandeur and good fortune of his country.
‘ For what man is there, says he, who is convinced of
‘ the existence of the Gods, but must be convinced at
‘ the same time, that our mighty empire owes its ori-
‘ gin, increase, and its preservation, to the protecting
‘ care of their Divine Providence. A plain proof,
‘ that these continued to be the real sentiments of the
‘ wiser *Romans*, even in the corrupt times of *Cicero*.
‘ From this principle proceeded that respect for, and
‘ submission to their laws, and that temperance, mode-
‘ ration, and contempt for wealth, which are the best
‘ defence against the encroachments of injustice and
‘ oppression. Hence too arose that inextinguishable
‘ love for their country, which, next to the Gods,
‘ they looked upon as the chief object of veneration.
‘ This they carried to such a height of enthusiasm as
‘ to make every human tie of social love, natural affec-
‘ tion, and self-preservation, give way to this duty to
‘ their dearer country. Because they not only loved
‘ their country as their common mother, but revered
‘ it as a place which was dear to their Gods; which
‘ they had destined to give laws to the rest of the uni-
‘ verse, and consequently favoured with their peculiar
‘ care and protection. Hence proceeded that obstinate
‘ and undaunted courage, that insuperable contempt of
‘ danger, and death itself, in defence of their country,
‘ which

‘ which complete the idea of the *Roman* character, as
‘ it is drawn by historians in the virtuous ages of the
‘ republic. As long as the manners of the *Romans*
‘ were regulated by this first great principle of religion,
‘ they were free and invincible. But the atheistical
‘ doctrine of *Epicurus*, which insinuated itself at *Rome*
‘ under the respectable name of philosophy, after their
‘ acquaintance with the *Greeks*, undermined and de-
‘ stroyed this ruling principle. I allow, that luxury,
‘ by corrupting manners, had weakened this principle,
‘ and prepared the *Romans* for the reception of atheism,
‘ which is the never-failing attendant of luxury. But
‘ as long as this principle remained, it controuled
‘ manners, and checked the progress of humanity in
‘ proportion to its influence. But when the introduc-
‘ tion of atheism had destroyed this principle, the great
‘ bar to corruption was removed, and the passions at
‘ once let loose to run their full career, without check
‘ or controul. The introduction, therefore, of the
‘ atheistical tenets, attributed to *Epicurus*, was the
‘ real cause of that rapid depravity of the *Roman* man-
‘ ners, which has never been satisfactorily accounted
‘ for either by *Salust*, or any other historian.’

The same author, in his 308th page, writes as fol-
lows on the same subject:

‘ *Polybius* firmly believed the existence of a Deity, and
‘ the interposition of a divine superintending Provi-
‘ dence, though he was an enemy to superstition. Yet
‘ when he observed the good effects produced amongst
‘ the *Romans* by their religion, though carried even to
‘ the highest possible degree of superstition, and the
‘ remarkable influence it had upon their manners in
‘ private life, as well as upon their public counsels,
‘ he concludes it to be the result of a wise and con-
‘ summate policy in the ancient legislators. He, there-

fore, very justly censures those as wrong-headed and wretchedly bungling politicians, who at that time endeavoured to eradicate the fear of an after reckoning, and the terrors of a hell, out of the minds of a people. Yet how few years ago did we see this miserably mistaken policy prevail in our own country, during the whole administration of some late power-engrossing ministers. Compelled at all events to secure a majority in parliament, to support themselves against the efforts of opposition, they found the greatest obstacle to their schemes arise from those principles of religion, which yet remained amongst the people. For though a great number of the electors were not at all averse to the bribe, yet their consciences were too tender to digest perjury. To remove this troublesome test at elections, which is one of the bulwarks of our constitution, would be impracticable. To weaken or destroy those principles, upon which the oath was founded, and from which it derived its force and obligation, would equally answer the purpose, and destroy all publick virtue at the same time. The bloody and deep-felt effects of that hypocrisy which prevailed in the time of *Cromwell*, had driven great numbers of the sufferers into the contrary extreme. When, therefore, so great a part of the nation was already prejudiced against whatever carried the appearance of a stricter piety, it is no wonder that shallow superficial reasoners, who have not logick enough to distinguish between the use and abuse of a thing, should readily embrace those atheistical tenets which were imported, and took root, in the voluptuous and thoughtless reign of *Charles II.* But that solid learning which revived after the Restoration, easily baffled the efforts of open and avowed atheism, which from that time has taken shelter
under

‘ under the less obnoxious name of deism. For the
‘ principles of modern deism, when stript of that dis-
‘ guise which has been artfully thrown over them to
‘ deceive them who hate the fatigue of thinking, and
‘ are ever ready to admit any conclusion in argument
‘ which is agreeable to their passions, without exami-
‘ ning the premises, are in reality the same with those
‘ of *Epicurus*, as transmitted to us by *Lucretius*. The
‘ influence, therefore, which they had upon the man-
‘ ners of the *Greeks* and *Romans* will readily account
‘ for those effects which we experience from them in
‘ our own country, where they so fatally prevail. To
‘ patronize and propagate these principles, was the best
‘ expedient which the narrow, selfish policy, of those
‘ ministers could suggest; for their greatest extent of
‘ genius never reached higher than a fertility in tempo-
‘ rary shifts and expedients, to stave off the evil day of
‘ national account, which they so much dreaded.
‘ They were sensible that the wealth and luxury,
‘ which are the general effects of an extensive trade, in
‘ a state of profound peace, had already greatly hurt
‘ the morals of the people, and smoothed the way for
‘ their grand system of corruption. Far from checking
‘ this licentious spirit of luxury and dissipation, they
‘ left it to its full and natural effects upon the manners,
‘ whilst, in order to corrupt the principles of the peo-
‘ ple, they retained at the public expence a venal set
‘ of the most shameless miscreants that ever abused the
‘ liberty of the press, or insulted the religion of their
‘ country. To the administration of such ministers,
‘ which may justly be termed the grand æra of corrup-
‘ tion, we owe that fatal system of bribery, which has
‘ so greatly affected the morals of the electors in almost
‘ every borough in the kingdom. To that too we may
‘ justly attribute the present contempt and disregard of

‘ the sacred obligation of an oath, which is the strongest
 ‘ bond of society, and the best security and support of
 ‘ civil government. I have now, I hope, satisfactorily
 ‘ accounted for that rapid and unexampled degeneracy
 ‘ of the *Romans*, which brought on the total subversion
 ‘ of that mighty republic. The cause of this sudden
 ‘ and violent change of the *Roman* manners has been
 ‘ just hinted at by the sagacious *Montesquieu*, but to
 ‘ my great surprize has not been duly attended to by
 ‘ any one historian I have yet met with. I have shewed
 ‘ too, how the same cause has been working the same
 ‘ effects in our own nation, as it invariably will in
 ‘ every country where those fatally destructive principles
 ‘ are admitted. As the real end of all history is in-
 ‘ struction, I have held up a just portrait of the *Roman*
 ‘ manners, in the times immediately preceding the loss
 ‘ of their liberty, to the inspection of my countrymen,
 ‘ that they may guard in time against these calamities
 ‘ which will be the inevitable consequence of the like
 ‘ degeneracy.’

Unhappily the most simple, the easiest, yet the wisest
 laws, that wait only for the nod of the legislator, to
 diffuse through nations, wealth, power, and felicity;
 laws which would be regarded by future generations
 with eternal gratitude, are either unknown, or re-
 jected. A restless, and trifling spirit, the timid pru-
 dence of the present moment, or a distrust and aversion
 to the most useful novelties, possess the minds of those
 who are impowered to regulate the actions of man-
 kind.

Do magistrates and governors consider how they
 increase the difficulty of their own task by neglecting
 the necessary attention to manners, till it be too late?
 When the manners of a people once deviate from the
 standard of rectitude, it is impossible to foresee how

far they will ramble into the wilds of irregularity and vice.

Who could imagine it possible ever to bring a whole people, once the patterns of virtue, humanity, delicacy, to such a degree of infernality, as to be capable of exercising cruelty on beautiful and innocent young virgins, on whom one would think it was impossible for a *male* of the human species, even of the age of fourscore, to look with any other eye than of love? Yet the *Turkish* history is full of instances of such hellish barbarities.

Those statesmen are inexcusable, in whose time any good custom is suffered to go into desuetude, or any salutary law to lose its efficiency. For it is very easy to keep up a good custom once established, and very difficult to get rid even of a bad one, as appears from the difficulty of bringing about reformatations of all kinds, whether in civil or religious matters. The power of custom has kept up for ages in the East, and keeps up still, the horrid practice of burning wives with their deceased husbands. One would imagine, that either women would give over marrying, or give over the ambition of suffering the most cruel of all deaths, if their husbands happen to die first. Instead of which, those wives of the deceased, who are not adjudged worthy to be burned alive, think themselves very unhappy^a. A *Tartar* conqueror ordered the *Chinese*, on pain of death, to cut off their hair. Many thousands chose rather to lose their heads^b. *Peter* the Great found it infinitely difficult to prevail with his *Russians* to part with their beards. To gain his point, he

^a MOD. UNIV. HIST. VI. 280.

Ibid. VIII. 480.

he was obliged to order his soldiery to cut off, any how, every beard they saw.

The people at *Cape Komorin*, in *India*, are barbarous enough; yet there is among them such a sense of honour, that if a traveller, under the protection of one of the centinels on the roads is murdered, while in his care, he will not survive the murdered person. And, if one of those guards violates his trust, his wife, or son, will be his executioner. How strongly must a sense of fidelity be impressed upon the minds of these heathens, that even conjugal affection, or filial duty, is not sufficient to restrain from punishing the violator of it! In *England*, very few wives or sons would put to death a husband, or father, though they knew him to be guilty of the most unheard-of villany^a.

The public robbers in that country will not hurt children, nor those who are with them. Therefore children are the best guard for travellers in those roads, where there are no centinels. This is again another wonderful effect of manners among a barbarous people^b.

The *London* mob will not suffer in boxing the least foul play; as, for instance, two to fall upon one. Yet this very mob will set upon the house, or person, of an obnoxious minister, five thousand against one, and would, in their fury, tear him to pieces, without thinking of the foul play.

Queen *Margaret*, after the defeat of the *Lancaster* party, escaping with her son, is attacked by robbers; flies into a thick wood; sees one of them coming toward her with his sword drawn; she runs to him, and begs his protection. The ruffian, inspired with a sud-

P 2

den

^a MOD. UNIV. HIST. VI. 556.

^b Ibid.

den sentiment of humanity and honour, preserves them, till they escape to *France*^a.

Degenerate manners in the people are a severe reflexion on the government for the time being. In the days of *Will. Conq.* there was no robbing. In his predecessor's every wood was a nest of banditti^b.

We know that *Henry II.* was a weak Prince; accordingly an extreme licentiousness prevailed in *London* in his time. Bands of citizens, to the number of 100, took to housebreaking, robbing, and murdering; forced their way into houses through the very walls^c. Their numbers and rank were such, that they grew at last too big to be punished^d.

In *Alfred's* days the internal police of the kingdom, and the manners of the people, were in so good a state, that a golden bracelet might have been hung upon a hedge, and nobody would have touched it. Is it not the fault of our kings, parliaments, ministers, &c. that in our enlightened times, instead of improving, we have lost this noble police, and those virtuous manners? Yet our kings, parliaments, ministers, &c. are always putting us in mind of the respect with which we ought to treat those, who have neglected our manners, overthrown our police, corrupted our honesty, taught us to laugh at all love of our country, plunged us in debt, lengthened our parliaments, loaded us with an infinite multitude of placemen and pensioners, &c.

‘ The insolence of the common people at this time
 ‘ [viz. *A. D.* 1737] was in a great measure owing to
 ‘ the discredit which some of the magistrates had fallen
 ‘ into. Most of the acting justices being men in needy
 ‘ cir-

^a *Hume*, II. 391.

^b *Rap.* I. 177.

^c *Hume*, *HIST.* I. 326.

^d *Ibid.* 332.

‘circumstances, sought to mend their fortunes by making a trade of their duty, which was no secret to the commonalty.’ Statesmen are wont to excuse their own laziness and negligence of the manners of the people, by alledging, that it is impossible to draw them to obedience. It is in part true, that the subjects are naturally prejudiced against laws made by governors, who shew plainly, that they have somewhat else in view than the good of the people. Let governors act the part of kind parents, and subjects will quickly assume that of dutiful children.

In *China*, the police resembles that of King *Alfred*. Communities are answerable for offences committed within their respective authorities^a. And when gross crimes are committed, the magistrates of the district in which they happened are severely punished and incapacitated, and the whole community disgraced^b. In the *Mogol’s* country, the emperor’s spies and officers are answerable for all irregularities in the people.

Gaming, and extravagance in dress, were prohibited under *Edward IV*^c. One of the fashions of those times, for its silliness, seems almost incredible, viz. of long, small-pointed shoes, like skates, so slender, that they were obliged to support the points of them with silver chains, or silk laces fastened to their knees.

Drunkenness, swearing, and obscenity in conversation, were the fashionable vices of the times of *Charles II*. They were introduced by the court, as the much more odious ones of cant and hypocrisy were by *Cromwell*. This shews how much is in the power of the great.

‘Her Majesty’s pleasure is, that you do not keep with you notorious persons, either for life or behaviour,’

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^a MOD. UNIV. HIST. VIII. 153.

^b Ibid. 172.

^c PARL. HIST. II. 370.

‘viour, desperate debtors, pettifogging solicitors, who
 ‘set dissension between man and man^a.’ *Elizabeth’s*
 speech at the opening of her last parliament.

The King, in his speech *A. D.* 1751, recommends
 means for putting a stop to robbery and violence about
 the metropolis, owing to irreligion, idleness, gaming,
 and extravagance^b.

‘The extreme misery brought on the *French* nation
 ‘[by the contest between the Dukes of *Orleans* and
 ‘*Burgundy* in the time of *Charles VI.*] were owing
 ‘to nothing but the corruption of their manners,
 ‘which having, on one hand, introduced a luxury
 ‘unknown to former times, excited a passion for wealth
 ‘and power, which quickly stifled all principle. In-
 ‘stead of seeking to break off their party-disputes,
 ‘they aimed only at deceiving one another, and kept
 ‘faith no longer than they thought it their interest to
 ‘keep it^c.’

Atheism prevailed in *Italy*, says *Voltaire*^d, in conse-
 quence of wickedness. For many superficial people
 argued, after *Lucretius*, in whose times the *Romans*
 were very debauched, that if there were a God, he
 would not suffer mankind to be so wicked. And if
 atheism was a consequence of corrupt manners, there
 can be no doubt but it was a cause of immorality, as
 tending to weaken the effect which the apprehension of
 a future judgment naturally produces.

The Kings and Queens of *Britain*, at their coro-
 nation, promise, among other things, to ‘maintain, to
 ‘the

^a *PARL. HIST.* IV. 427.

^b *Alm. DEB. COM.* V. 3.

^c *MOD. UNIV. HIST.* XXIII. 521.

^d *Ess. SUR L’HIST.* III. 136.

‘the utmost of their power, the laws of God^a.’ If any King, or Queen, keeps in a station of dignity and power any person, or number of persons, who have been public and notorious violators of the laws of God, and who never have publicly declared their repentance or intended reformation, I affirm, that such King, or Queen, have broke their coronation oath; for that to employ in important stations such characters, is the diametrical contrary of ‘maintaining to their utmost power the laws of God;’ is indeed the most effectual means our crowned heads can use for overthrowing the laws of God, excepting one, *viz.* Their shewing a bad example in their own persons.

The commons addressed the King, *A. D.* 1698, against profaneness and immorality, and particularly request him, that all vice, profaneness, and irreligion, may be discouraged in those who have the honour to be employed near his royal person, and in all commanders by sea and land^b.

An able legislator, or administrator, knows how to gain his great and good purposes by the proper application of every passion, every disposition, custom, prejudice, virtue, vice, folly, in human nature.

If you propose to our modern ministers to encourage industry and good behaviour by rewards, they will answer, They have not the necessary funds. Yet they can find wherewith to reward those who do their dirty work for them. They can buy boroughs, maintain an useless army of soldiery, another of tax-gatherers, and a third of placemen and pensioners.

The town of *Zbarras* was besieged, *A. D.* 1675, by the *Turks*. The garrison mutinied against the governor,

^a *Blackst.* COMM. 1. 235.

^b *DEB. COM.* III. 82.

nor, because he would not yield the place, when he knew he could hold it out. They threw him over the walls. The *Turkish* general takes the town, and punishes the mutineers with the gallies and death. 'You have deprived me, says he, of the honour of conquering a hero; but you shall not of the satisfaction of punishing cowards^a.' The manners of that people, as to courage and military discipline, must have been neglected.

To prevent crimes, to supersede the necessity of punishment, and to make administration easy, let the governors convince the people that it is their good they seek, and not the filling of their own pockets. This they may do at any time, and they have one certain method of gaining this point, *viz.* serving their country *gratis*. Then let them give orders for the education of the youth, and regulating the morals of the people; then will parents, relations, the clergy, the magistracy, and inhabitants of districts, emulate one another in their obedience to commands so salutary given out by persons of such disinterested characters. But our statesmen pretend a sort of necessity for a certain competent quantity of art and craft, or if you choose plain *English*, of knavery. This doctrine, however, is wholly erroneous. Don *Alonzo V.* always acted fairly and openly. He did not understand intrigues or reasons of state, or the *arcana imperii*. Yet he was so esteemed, that 60 different authors wrote his history.

The founders of the ancient republic of *Venice*, if we may believe the historians, would not admit to citizenship any but men of the most exemplary morals^b.

No

^a MOD. UNIV. HIST. xxxiv: 234.

^b Ibid. xxvii. 12.

No man ought to be employed in any place of power or trust, who is known to have been immoral or wicked, and is not known to be penitent and reformed. Virtue ought to be above all other considerations at all times, and on all occasions. Besides the danger that a man void of principle runs in betraying his trust, and bringing affairs into confusion, the evil *example* of placing a bad man in an honourable station, tends to damp all desire of keeping up a character. And what can be imagined more ruinous to a state, than to kill emulation in the people—the noblest of all emulation, the emulation of being virtuous?

Officers of justice were established in *Galicia* by *Ferdinand* and *Isabella*, where things were gone into terrible disorder during the interregnum. The whole country was full of strong castles, inhabited by a set of despotic chiefs of clans. The commissioners, however, behaved with such firmness, that 1500 of those chiefs, who had committed actions which they could not answer, fled the country. *Ferdinand* and *Isabella* pursued the same scheme throughout *Spain*, which restored peace, and brought back many who had preferred exile to the tyranny of the chiefs. Magistracy will always be too strong for licentiousness, where magistrates are wise, just, and, from consciousness of rectitude of intention, fearless.

The people of *Benin* in *Africa* are humane, civilised, so charitable, that they have no beggars among them, and keep up so good a police, that they have no idle people. At the same time the *Ansikans*, in the same country, are barbarous cannibals, who go to war merely to get captives to eat, whose flesh is regularly sold in the shambles. They never bury their dead re-

lations,

^a MOD. UNIV. HIST. XXI. 163.

lations, but eat them. Mothers eat their new-born children; and if a family grows numerous, they kill the fattest for food^a. What can make such a difference between the manners of these two nations, but different management in their government?

All savages are not cruel, but most are. Is humanity then the natural growth of the human heart? Or is it that men will be cruel, if they be not led by civilisation to better habits? 'The dark places of the earth are full of the habitations of cruelty,' says Scripture^b. The *American* savages are more devils than men, delight in cruelty and blood, as if the great murderer Satan^c had been let loose among them, and ruled in them. Their ignorance and idolatry are brutish. Some worshipped red rags, all adored beasts, serpents, &c. They go to war about nothing, and then torture their captives in the most wanton manner, as if they fought only for the pleasure of getting so many of their fellow-creatures into their power to glut their infernality: for they did not always eat them. If they had, they might have pretended they went to war to get a belly-full; though even then there was no occasion to put their captives to more torture than we do our sheep and bullocks. There is a wonderful similarity between the *American* savages and those of the *East Indies*, though at so great a distance, in putting to death the wives and attendants of their great men when they die, and often to the number of 100 at once^d.

The ancient *Peruvians*, before the *Incas*, were the most brutish of all barbarians. They wandered about like beasts, dwelt in caves and woods, knew no towns

^a MOD. UNIV. HIST. XVI. 350, 363.

^b PSAL. LXXIV. 20.

^c JOHN VIII. 44.

^d MOD. UNIV. HIST. XL. 255.

or societies, or government; human flesh their highest luxury; no cultivation of lands. Their captives they tied to trees, cut into slices, and ate the living flesh; the screams of their tortures were the sweetest music to their tormentors. Women wetted their nipples in the hot blood, to give their infants a relish for it. They copulated like bullocks in the open air, the first man with the first woman; brothers with sisters, fathers with daughters, the most libidinous women were the most esteemed. Sodomy, bestiality, sorcery, poisoning, were common among them. This is the character given of the ancient *Peruvians* by *Garcilasso de la Vega*, whose mother was a *Peruvian*. Yet these savages had a notion of gods and spirits ^b.

It was a silly fancy of *Peter* the Great, to compel the *Russians* to shave their beards. What matter whether a set of brave and free men have the chins of men or of women. Shaving is no part of civilisation ^c. The ancient patriarchs, with beards down to their girdles, were men of better manners and principles, than many of our modern nations with chins scraped to the quick. 'It is bad policy to attempt to alter that by law, which should be altered by custom ^d,' says the Czarina.

Adultery, blasphemy, striking or cursing a parent, and perjury in matters of life and death, in *New England*, are capital ^e.

Great care is taken in *New England* of the morals of the *Indians*, and particularly to prevent drunkenness. In *Old England*, the government gains by the drunkenness of the people ^f.

The

^b MOD. UNIV. HIST. XXXIX. 4.

^c Ibid. XLIII. 540.

^d INSTR. 81.

^e MOD. UNIV. HIST. XXXIX. 343.

^f Ibid.

The timidity, or laziness, if not somewhat worse, of magistrates and governments, are a great hindrance to reformation of manners. The constables of *London* and *Westminster* do effectually keep the streets clear of carts, coaches, &c. in parliament-time, so that the members do actually go, without stop or interruption, every day to the house. Yet it is pretended, that there is no possibility of keeping the streets clear of lewd women; which is a very heinous evil under the sun. For there is a close connexion between the virtues and between the vices; and a modest youth, once deprived of delicacy with respect to chastity, will soon become daring and hardened with respect to others.

A single genius changes the face and state of a whole country, as *Gustavus Adolphus* of *Sweden*, and *Peter* the Great of *Russia*.

The great difference we see between the behaviour of the sagacious people called Quakers, and all others; the difference between *English*, *Scotch*, *Irish*, *West Indian*, *French*, *Spanish*, *Heathen*, *Mahometan*, *Christian*, *Popish*, *Protestant* manners and characters, &c. the regular and permanent difference we see between the manners of all these divisions of mankind, shews, beyond doubt, that the principles and habits of the people are very much in the power of able statesmen.

In the beginning of *Queen Anne's* reign, an act was passed for giving liberty to magistrates to take up idle people for the army^a.

In pressing time, a neighbourhood is often cleared of idle and disorderly persons by an information's being sent them, and their securing such persons for the service. There might be a stated press-gang at all times to seize all idle and disorderly persons, who have
been

^a *Burn.* iv. 54.

been three times complained of before a magistrate, and to set them to work during a certain time, for the benefit of great trading, or manufacturing companies, &c. The profit of their work would be a temptation to put the law in execution. The fleet might be manned in this manner. I say nothing of the army, because a free people ought to have no army, but the militia, or the whole people.

By 5 and 6 *Edw. VI.* no person was to keep an ale-house without finding sureties for the observance of decency in his house^a. I should be glad to know what would, in our times, be reckoned indecency in an ale-house, tavern, masquerading-house, &c. Perhaps sodomy or murder. We know that gaming, raking, cheating, swearing, blasphemy, drunkenness, obscene talk, adultery, and incest, are not reckoned indecencies, but are the common and regular amusements of such places.

By 1 *Jam. I.* cap. 9. it is penal to suffer any person's sitting and tippling in alehouses and inns, longer than the time necessary for refreshment^b. Made perpetual by 21 of the same reign, cap. 7. In our times the innumerable multitude of alehouses, taverns, masquerading-houses, &c. is not restrained, because the debauching and depopulating the land, the enfeebling, the sickness, the death, and damnation of the people, are the great supports of the civil list.

The common people were suffered by our worthy ministers, *Walpole* and the *Pelhams*, to poison themselves with spirituous liquors, many thousands every year, for many succeeding years, in spite of innumerable authentic proofs laid before them of the frightful effects of dram-drinking. At last, *A. D.* 1760, a prohibition

was

^a STAT. AT LARGE, II. 76.

^b *Ibid.* 341.

was laid on the distillery, and afterwards it was resolved in parliament, ' that the raising the price of spirituous liquors [by the stop of the distillery,] was a principal cause of a diminution of the consumption of them, and had greatly contributed to the health, sobriety, and industry, of the common people. That in order to continue the high price, a large additional duty be laid on them, to be drawn back on exportation^a.' There were many petitions presented to the commons against taking off the prohibition, once particularly, from the city of *London*, because it had proved so salutary. And many who considered corrupt parliaments as capable of any thing, scrupled not to say, the laying on of a high duty, on pretence of the people's good, was neither more nor less than a villanous imposition on the common sense of mankind, and was in reality giving the wretched people a licence to poison their bodies and damn their souls, for the good of the revenue.

9 *George II*, was the first act licensing the retail of spirituous liquors^b. The bishop of *Worcester* calls this act raising money for the supply of government, by what cost the people their lives and their souls^c. A thorough-paced statesman will raise money from any thing, however hurtful to the people.

The debauchery of the people, as above observed, is supposed to support the revenue. Therefore the boundless multitude of ale-houses is not restrained. But this is a short-sighted kind of politics. For drunkenness, especially in spirituous liquors, enfeebles the people, defeats population, shortens life, cuts off multitudes in infancy,

^a LOND. MAG. Sept. 1760.

^b STAT. AT LARGE, VII. 73.

^c LETT. 10 L. MAYOR.

infancy, lessens the quantity of labour, and hurts the revenue much more than it benefits it.

The act 9 *Anne*, cap. xiv.^a for the better preventing of excessive and deceitful gaming, would effectually root that vice out of the nation, if the sober part of the subjects would associate against it, and keep one another in countenance in informing, prosecuting, &c. And the case is the same with respect to other epidemical vices.

By 1 *Edw.* VI. cap. 3. a person loitering idle three days, might be taken up by any body, and carried before two justices, marked with a hot iron, and enslaved for two years, to the person who apprehended him, &c. Expired and repealed^b. And see 3 and 4 of the same reign, cap. 16.^c

By 39 *Eliz.* cap. 4, rogues and vagabonds, besides other punishments, might be condemned to the galleys^d.

It is a monstrous absurdity in the *English* law, that the person injured by a thief or a cheat, is obliged to bear the expence and trouble of prosecuting the thief or cheat, and recovers no damages, or however, is a loser upon the whole. We pay taxes on pretence of being protected by government. But government protects us so well, that we are obliged to pay for protection besides our taxes. This inconvenience, and the extreme severity of our punishments in some cases, deter people of gentle natures from prosecuting offenders, which gives courage to the licentiouness of manners, and impunity to crimes.

The care of the manners of the people may be said to be the very business and calling of the clergy, in

^a STAT. AT LARGE, XIV. 352.

^b Ibid. II. 4.

^c Ibid. 53.

^d Ibid. II. 298.

in such manner, that if they neglect it, it is no matter what they attend to. The errors, deficiencies, and abuses in the clergy of established churches merit a very copious display in these collections. And very copious is the quantity of materials I have, in the course of my reading, collected on this subject. At present I shall only observe, that what the clergy bestow their *principal attention* upon, is, comparatively of the *least service* for the important purpose of improving the manners of the people; I mean preaching. In the New Testament we read much of the importance of the apostles as heralds by divine commission, proclaiming the good message. That is the true meaning of the *Greek* phrase, which we translate preaching the gospel. But every body must see the difference between the importance of publishing to the world the amazing history of Christ, which history was either unknown to, or misunderstood by those to whom the heavenly heralds proclaimed it, and our explaining and inculcating a doctrine or a precept of a religion, of which we have the beautiful and simple code in our hands, and have been brought up in the belief of it. The business of the apostles was the same with that of missionaries sent from *Europe* to convert the heathens to christianity. The function of the modern clergy of *Europe* must be supposed to be different from this, as the state of the people of *Europe* is different from that of the heathens in *Asia*, *Africa*, and *America*. The clergy of *England* ought, therefore to apply themselves to teaching in more ways than one. They ought not to think they have discharged the duty of their function, when they have *read* over a velvet cushion a learned and elegant discourse on some point in theology or in morals: a true and faithful pastor will consider it as the principal part of his duty to be intimately acquainted with every indi-

individual of his flock, to obtain and keep the first and highest place in the esteem of every inhabitant of his parish, in such manner, that the advice of their faithful, laborious, and disinterested spiritual guide shall, upon all occasions, be acceptable to them. In all which there is no other difficulty, than the difficulty of shewing his people, that he is more desirous of being serviceable to them, than of improving his income, of obtaining a fatter living, or a plurality, and for that purpose currying favour with those who have livings in their gift, by plunging into party-quarrels, and doing dirty work at elections, &c.

A benevolent disposition revolts against every discouragement to the exercise of the godlike virtue of charity. But truth is truth, and it must be acknowledged, that the profusion of our charities is hurtful to the manners of our people. Even in this rich country, the number of those who have it not in their power, without strict care, constant labour, and severe parsimony, to save any thing for old age, is very great. All that policy is found, which tends to improve and increase industry and frugality among the working people; and all that oeconomy is hurtful, which tends to produce in the poor people a contrary spirit, and which occasions their becoming more burdensome to their richer fellow-subjects, than is absolutely necessary; because this lays an additional burden upon all our exports, and hurts our trade at foreign markets, upon which all depends. Let our innumerable and exorbitant public charities be considered in this light. If the poor are led by them to look upon industry and frugality as unnecessary, they will neither be industrious nor frugal; and the consequence will be, that they and their children will come upon the parish, instead of being maintained by labour and industry.

Besides the general hurtful consequences arising from the excessive number of our public charities, our manner of conducting them, and of admitting individuals to the benefit of them, are obnoxious to various censures, too numerous to be particularly specified here. Were the admission of individuals to the benefit of our charities put upon a proper foot, our charities might be of great benefit in improving (instead of hurting, as they do at present) the manners of the people. Did magistrates keep an attentive eye upon the behaviour of individuals, and were they to keep a register of the complaints made against the idle and debauched, the register to be inspected upon every individual's applying for the benefit of a public charity, that it might appear, whether he had lived a life of labour and frugality, or brought himself to want by his own fault. Did an individual among the lower people know, that he should be provided for in his old age, not in the present promiscuous way, but according to his behaviour through life; we should see him more attentive to his conduct, lest the justice's book, upon his applying for relief in his old age, or in case of an accident, should rise in judgment against him, and exclude him from the best provision.

‘Hospitals abound, says Lord *Bacon*^a, and beggars abound never a whit the less.’ This was written *A. D.* 1618.

A native of *Holland* is hardly ever seen begging in *Holland*.

The excellent *Montesquieu* thinks hospitals hurtful to industry; and that the best charity to the poor is to set them to work. He commends *Henry VIII* for dissolving the religious houses, which maintained multitudes in idleness, not only of those who resided in them,

them, but of pretended poor, who resorted to them. At *Rome*, he says, the number of hospitals is the cause that every body is in easy circumstances, but the industrious, the land-holders, and traders; because they must maintain the hospitals.

Judge *Blackstone* condemns the present management of the poor ^a.

A. D. 1760 a committee, appointed to inquire into the state of the poor, reported to the house of commons their resolutions, *viz.* That the present method of providing for the poor in the parochial way, is unequal and burdensome to parishes, and distressful to the poor. That giving money to poor people out of the parish-workhouse, to prevent their claiming a settlement, is an abuse. That the employing of the poor will be of great advantage to the public. That the placing of the poor in county-workhouses, under the direction of chosen trustees, will answer all purposes better than parish-workhouses. That this will improve waste lands, will put an end to expensive law-suits about settlements, will render the intricate laws relating to the settlement of the poor useless, &c. These wise resolutions produced no new regulation. For the parliament was prorogued in the mean time ^b.

Besides what might be done by a government setting itself in earnest to correct and form the manners, it is certain that the morals and principles of all ranks, high and low, might be improved in the same way, that natural knowledge has been improved. If a set of gentlemen of respectable characters were to form a society, like the Royal Society, to meet statedly at *London*, to be wholly unconnected with government and with

Q 2

magistracy

^a COMM. I. 362.

^b LONDON MAG. May 1760, p. 238.

magistracy, to publish from time to time transactions analagous to those of the Royal Society, I mean, moral discourses, observations, reasonings, examples from history and the best political writers, ancient and modern in all languages, with strictures upon the manners of the times, satires upon the indecencies and crimes of eminent individuals, without names, &c. and if the correspondent members of this society were to use their endeavours in their respective countries to promote decency of behaviour, and agree to withdraw from, and disgrace persons of unexemplary characters. If, I say, a numerous and respectable set of gentlemen were to form themselves into such an *Areopagus*, there is no doubt, but they might give a very advantageous turn to the manners of the people of this nation, though they be so far gone in debauchery and corruption. The members must be balloted in, and any of them misbehaving, be turned out in the same manner. It would damp the boldness of a debauched lord, to see his picture drawn by this society of voluntary and uninfluenced censors, and held forth to the view of the nation in its true colours, and striking likenesses.

—— Abash'd the devil stood,

And felt how awful goodness is, and saw

Virtue in her own shape how lovely.

MILT.

And on the contrary, it would excite men to a laudable emulation, to see amiable and respectable characters set in a bright and shining light before the public by the pen of a man of prime genius employed by the society. Every man would be afraid of being stigmatized by a set of judges so unbiaſſed and so venerable. They might extend their censure and their approbation to authors and their works, especially those which were likely to affect the general character. The censure or praise of such a society would be more awful to writers, than that of a bookseller's hireling, or a bookseller himself

himself in the shape of a *Reviewer*. The society, by drawing into their circle all the men of *genius*, but the openly abandoned, and professedly negligent of the safety of their country, might form a party much too powerful for the defenders of debauchery and corruption. For virtue supported by abilities, will always be too hard for vice and stupidity. And men of parts, acting upon principle, will keep together, when weak and worthless men will quarrel and divide. A numerous set of virtuous and able men associated, and corresponding together, and all independent in temper and circumstances, would be a formidable check on wicked ministers and corrupt parliaments. See the account given in the MODERN UNIVERSAL HISTORY, xxxiv. 135, of the commonwealth of *Babina*, a society erected in *Poland* upon this foot, and with this view, which proved highly serviceable, and was encouraged by kings and emperors.

And let it be recollected, what effects were produced by the humorous romance of *Don Quixotte*, by the silly song of *Lillibullero*, and the like, which occasioned a person's saying, that if he had the making of the ballads in a country, who would might make the laws.

‘ It is an incontestible truth, that the virtues of the
 ‘ citizens constitute the most happy dispositions that can
 ‘ be desired by a just and wise government. This then
 ‘ affords a certain index from which the nation may judge
 ‘ of the intention of those who govern. If they endeavour
 ‘ to render the great and the common people virtuous,
 ‘ their views are pure and upright; and it is certain that
 ‘ their sight is fixed alone on the great end of govern-
 ‘ ment, the happiness and glory of the nation. But if
 ‘ they spread a corruption of manners, a love of luxury,
 ‘ effeminacy, the rage of licentious passions, and excite
 ‘ the great to engage in ruinous expences, the people

‘ought to take care of these corrupters; for they endeavour to purchase slaves, in order to rule over them in an arbitrary manner^a.’

Though it must be owned that our liberties have made a small acquisition by the late demolition of general warrants, and seizure of papers; yet there is, and will be great reason to complain, so long as the riot-act is kept in force.

The first sketch of the riot-act was made in the time of *Edward VI.* and is thought by *Burnet* too severe^b.

Soldiers armed with firelocks are particularly improper for quelling riots. There is a necessary jealousy between them and the people; so that their encounter is likely to widen, not close the breach. They are the slaves of the court: the people, therefore, naturally conclude, that whenever they are employed, tyranny is going forward. The soldiers being all dressed alike, it is impossible to distinguish which of them is guilty of any violence against the people; this indeed, there is reason to suppose, the court cares little about, but to us it is an object. Musquets are not certain to hit the *guilty* persons in a riot; but may destroy the *innocent* in their own houses, or passing about their lawful business.

At *Rome* it was not lawful to enter forcibly a citizen's house, even to carry him to justice for a crime^c.

Charlemagne, the son of *Pepin* of *France*, always endeavoured to quiet seditions, and oppositions, by gentle means, before he made use of the sword.

The lord chief justice *Holt*, hearing of a mob, went among the people, and telling the soldiers, who were come

^a *Vattel's* LAW OF NATIONS, quoted LOND. MAG. Sept. 1760, p. 456.

^b PARL. HIST. III. 248.

^c *Montesq.* L'ESPRIT DES LOIX, III. 202.

come to disperse them, that he would have every man of the party hanged, if one person was killed (all are principals who are present at a murder), quelled the mob himself^a.

When *Henry IV.* of *France* took *Paris*, which was in rebellion against him, there were two or three citizens killed. The king was extremely concerned that any lives should be lost, and said, he would rather have given 50,000 crowns, that posterity might read that *Paris* was taken by *Henry IV.* without blood. We have long complained, but in vain, that the military are called in to quell every trifling riot, where the peace officers would have done the business as effectually, and with more safety. We have seen the men of blood, the pretended keepers of the peace, but real butchers of the innocent, some reprieved, others thanked, for destroying their countrymen.

The riot-act was made with a view merely temporary, and therefore ought to have been repealed, when the occasion of making it was at an end. It is too cruel and bloody. A peaceable subject may chance to be wedged in the middle of a mob, so that he cannot extricate himself at the reading of the riot-act. The man may be lame; he may be overtaken with liquor; he may not even know, that the riot-act has been read, if the mob around him was noisy, if he was at a distance from the place, or if he was hard of hearing. Is the unhappy man to be seized, imprisoned like a felon, tried, and put to an infamous death, only because he was so unfortunate, as to get himself entangled in a mob? So says the riot-act. Yet we know, all good government is founded in paternal principles. But what should we think of that father,

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who

^a LIFE OF LORD CHIEF JUSTICE HOLT:

who should murder his son, because he would not go out of the room when ordered? Disobedience in children or subjects is highly culpable; but cruelty and injustice in parents, or governors, in punishing disobedience, is infamous. The intention, in making penal laws, ought to be, to prevent a greater evil by a less. Is the riot-act constructed upon this principle? I happen to offend the mob. Two or three hundred idle fellows assemble, and break my windows. Twenty shillings will repair the damage. No, says the riot-act. A magistrate shall send for the standing army. They shall seize all they can lay hold on, after reading the riot-act. Those they seize shall be hanged. And if, in apprehending the offenders, any one, or more, are killed, it shall not be murder. See the Act. This last clause may be said to be, like *Draco's* laws, written in blood. For it naturally suggests to a cowardly magistrate (cowards are generally cruel), that the readiest way to disperse the mob is, to order the soldiers to fire upon them. This is indeed a gross abuse of the intention of the law. For, absurd and ill framed as it is, the intention of it was quite different from this. The meaning of the law is, that all persons, soldiers as well as others, should assist the civil magistrate in quelling riots. And, lest the magistrate should be intimidated in the discharge of this part of his duty, he, and all who are aiding to him, should be indemnified from prosecution, on account of any person's being unavoidably killed in the scuffle. The riot-act, bloody as it is, was not so bloodily intentioned, as to mean, that whenever a disturbance happens in the middle of a great town, which (such is the well-known good-nature and good understanding of the people of *England*) may almost always be quieted by a few civil words from any man, who is in favour with them; immediately

mediately a band of ruffian soldiers shall be brought to fire in at windows, and murder women and children. This was not, I say, in any degree, the intention of the riot-act. But it is so ill contrived, that it is very easily abused to this cruel purpose. There ought to have been an exprefs prohibition of fire arms in the hands of those who were to assist the civil magistrate, with capital punishment of any person on the side of the insurgents, who should use those dreadful instruments of destruction. At *Constantinople*, the *Janizaries* are armed only with clubs. Fire-arms are not the proper implements for quelling the unruly dispositions of our own children. They are very proper indeed, if our scheme be to murder them, and thin the land. Nor ought the soldiery to be, on any account, called in on such occasion. The veriest court-sycophant in the nation does not pretend, that a standing army, numerous enough to conquer the world, is kept up in profound peace, merely for the purpose of keeping the people quiet. This he knows to be too gross to pass; because he knows, that it is but very lately that we had a standing army; that in *Henry VIIIth's* time the yeomen of the guards were the whole regular force under the king's command, except in war time. No; he pretends, that the necessity of a standing army arises wholly from the practice of the other crowned heads of *Europe*; and that, because they who live on a vast continent together, and are liable to be attacked at any time by their neighbours, must keep up a military force for their defence, therefore we, who are surrounded by a sea, and a fleet equal to all the naval force of *Europe*, must keep up a standing army, as numerous as that of *Alexander the Great*. Let this be for a moment, admitted (though nothing can well be imagined more palpably absurd) does it not follow, that

that to call in the standing army, with their murderous fire-arms, to keep the peace within the realm, is a gross misapplication of them? If the army can at any time quell an insurrection of the people, why may they not quell the spirit of liberty in the people? And then a complete tyranny is established. For every government will be tyrannical, if they dare. Had the riot-act been made before the Revolution, we had probably never seen that glorious event.

The intention of the riot-act being, to seize, and bring to regular trial by jury (see the Act), nothing can be more absurd (besides the cruelty of it) than the application of fire-arms for quelling mobs; because fire-arms do not seize people, but murder them; a net, a rope, a shepherd's crook would be natural instruments for seizing, or apprehending.

The under-sheriff of *Dublin*, *A. D.* 1738, was brought in guilty of murder for ordering a file of musqueteers to fire upon a mob, and killing one man. He absconded; fled to *England*; was outlawed; died for want in a ditch in *Marybone-fields*^a.

Sir *Stephen Theodore Janssen*, when sheriff of *London*, kept the peace at executions, and on other occasions, when the populace were expected to be unruly, without any military force. He raised a body of 1000 men, armed, and some of them mounted on horseback. Others, on like occasions, have called in the soldiery, and shed innocent blood.

Is it no grievance, (says Sir *J. Hinde Cotton* in the debate on the repeal of the septennial act, *A. D.* 1734^b) that a little dirty justice of the peace, the meanest and vilest tool a minister can make use of, a tool who, perhaps, subsists by his being in the commission; and who may

^a LOND. CHRON. N^o. 1786.

^b DEB. COM. VIII. 179.

may be turned out of that subsistence whenever the minister pleases; is this I say, no grievance that such a tool should have it in his power, by reading a proclamation, to put perhaps 20 or 30 of the best subjects in *England* to immediate death, without any trial or form of law?

In the year 1747, an act passed for trying the rebels (not according to ancient custom in the county, where they committed the offence, but) before such commissioners, and in such county as the king should appoint. In consequence of the riot-act, four persons were executed in *Salisbury* court, who would otherwise have been only punished with fine and prison. And a jury in *Southwark*, which had acquitted two gentlemen, were dismissed, and another impanelled^a.

Lord *Bacon* says, what chiefly kept the peace in his times, when riots were apprehended, was drawing up and mustering the trained bands, giving charge to the lord mayor, aldermen, justices, &c. and strengthening the commissioners of the peace with new clauses of lieutenancy^b.

‘ There is (says lord *Bathurst*^c,) a very great difference between a magistrate’s being assisted by the posse of the county, and his having a body of regular troops always at command. In the first case, he must in all his measures pursue justice and equity, he must even study the humours and inclinations, and court the affections of the people; because upon them only he can depend for the execution of his orders as a magistrate, and even for his safety and protection as a private man; but when a civil magistrate knows that he has a large body of regular well

^a USE AND ABUSE OF PARL. I. 334.

^b L. *Bac.* LETT. 202.

^c DEB. LORDS, V. 152.

well disciplined troops at command, he despises both the inclinations and the interest of the people; he considers nothing but the inclinations and the interest of the soldiers, and as these soldiers are quite distinct from the people, as they do not feel the oppressions of the people, and are subject to such arbitrary laws and severe punishments, they will generally assist and protect him in the most unjust and oppressive measures; nay, as the interests of the soldiers are always distinct from, and sometimes opposite to the interests of the people, a civil magistrate, not otherwise oppressive in his nature, is sometimes obliged to oppress the people, in order to humour and please the army. To imagine, my lords, that we shall always be under a civil government as long as our army is under the direction of the civil magistrate, is to me something surprising. In *France*, in *Spain*, and many other countries, which have long been under an arbitrary and military government, they have the outward appearance of a civil government; even in *Turkey*, they have laws, they have lawyers, they have civil magistrates, and in all cases of a domestic nature, their services are under the direction of the civil magistrates; but, my lords, we know, that in all such countries, the law, the lawyers, and the civil magistrates, speak as they are commanded, by those who have the command of the army. Their lawyers have often occasion to make the same speech that one of our judges made to *Michael Pole*, earl of *Suffolk*, in *Richard the IIId's* reign, who, upon signing it as his opinion, that the king was above the laws, said,——If I had not done this, my lord, I should have been killed by you; and now I have done it, I well deserve to be hanged for treason against the nobles of the land. I am afraid,

my

‘ my lords, some of our civil magistrates, at least those
 ‘ of an inferior degree, begin to put too great confi-
 ‘ dence in their having a military force at their com-
 ‘ mand, and therefore make a little too free with the
 ‘ lower sort of people, or at least do not take pro-
 ‘ per measures for reconciling the people, in a good-
 ‘ natured and peaceable manner, to the laws of their
 ‘ country: a man who has power, is but too seldom at
 ‘ the pains to use argument.’

In the riot-act^a, there is no mention of military,
 nor of firing; but if any person happens to be killed
 in the apprehending, or endeavouring to apprehend
 him, it shall not be murder, &c.

‘ The liberty of firing at random, says a speaker in
 ‘ the house of peers, upon any multitude of his ma-
 ‘ jesty’s subjects, is a liberty which ought to be most
 ‘ cautiously granted, and never made use of, but in
 ‘ cases of the most absolute necessity; and in this way
 ‘ of thinking, I am supported by the whole tenor of
 ‘ the laws of *England*. It is now three or four hun-
 ‘ dred years since fire-arms first became in use among
 ‘ us; yet the law has never suffered them to be made
 ‘ use of by the common officers of justice. Pikes,
 ‘ halberts, battle-axes, and such like, are the only
 ‘ weapons that can be made use of according to law,
 ‘ by such officers; and the reason is extremely plain,
 ‘ because, with such weapons they can seldom or ever
 ‘ hurt, much less kill any but such as are really op-
 ‘ posing or assaulting them; whereas if you put fire
 ‘ arms into their hands, and allow them to make the
 ‘ proper use of such arms, they may as probably hurt
 ‘ or kill the innocent as the guilty; nay in cities and
 ‘ towns, where such tumults generally happen, they
 ‘ may

^a STAT. AT LARGE, IV. 600.

‘ may kill people sitting in their own houses, or look-
‘ ing innocently over their windows, which all persons
‘ are apt to do, but especially women and children,
‘ when they hear any hubbub or noise in the streets;
‘ and which was really in the affair now before us; for
‘ one woman was killed in her master’s house, by her
‘ being unfortunately, but innocently, at the window
‘ when the soldiers fired ^a.’

‘ There are two sorts of mobs, or assemblies of the
‘ people; one is when a multitude of people assembles
‘ together upon any lawful or innocent occasion, and
‘ afterwards happen to become riotous; and the other
‘ is when a multitude of people assembles together with
‘ a design to commit some unlawful or wicked action.
‘ With respect to the former, the most gentle measures
‘ ought to be made use of for dispersing them, because
‘ many innocent persons being inveigled into the crowd,
‘ it may be some time before they can possibly get
‘ away; but with respect to the latter, as all that are
‘ assembled together upon such an occasion must be
‘ some way guilty, therefore more rough and violent
‘ measures may be made use of for dispersing them, and
‘ for preventing the mischief they intended. But in
‘ both these cases the law is now certain and indispu-
‘ table. Your lordships all know that by a late sta-
‘ tute, which is in force in *Scotland* as well as *Eng-
‘ land*, the power of the civil magistrate, in the case of
‘ any mob, or riotous assembly, is fully and distinctly
‘ regulated; yet even by that law, which I have often
‘ heard complained of, as a law not tolerable in a free
‘ country, there is no express power given to the ma-
‘ gistrate or his assistants, to make use of fire-arms;
‘ so cautious was the legislature, even at that time,
‘ when

^a DEB. PEERS, v. 172.

' when tumults were more frequent and more danger-
 ' ous than they are at present, of giving a legal autho-
 ' rity for the making use of such weapons. After
 ' reading the proclamation, and after giving the mob
 ' an hour's time to disperse themselves, and to depart
 ' to their habitations, or lawful business, the peace-
 ' officers may then, by that law, seize or disperse them
 ' who shall afterwards continue unlawfully assembled;
 ' and if any person, by resisting them, shall happen to
 ' be killed, maimed, or hurt, the peace-officers and
 ' their assistants are indemnified; but I doubt much if
 ' a magistrate would be indemnified, even by this law,
 ' should he take the short way of dispersing a mob, by
 ' ordering his assistants to fire among them, and should
 ' thereby kill any person who had committed no overt
 ' act of resistance^a.

' A law was made for preventing or quelling riots
 ' and tumults within the city of *Edinburgh*; for which
 ' purpose the magistrates of that city are enabled,
 ' with the King's allowance, to raise soldiers on pay,
 ' to use haquebuts, and all other arms, when they shall
 ' think expedient; and if any person resisting the said
 ' magistrates in the quelling of any riot, shall be hurt
 ' or slain, the magistrates and their assistants are indem-
 ' nified; provided such hurt or killing was with long
 ' weapons, and not by shooting haquebuts or the like.
 ' I need not acquaint your lordships,^b that haquebut
 ' was the name then used in that country, and formerly
 ' in this, for fire-arms; that by long weapons was
 ' meant halberts, battle-axes, and such weapons as are
 ' commonly used by all assistants to officers of justice in
 ' that part of the island, as well as this. Thus your
 ' lordships see, that killing with any sort of fire-arms
 ' was expressly excepted out of that law^b.

Upon

^a DEB. PEERS, v. 173.

^b Ibid. 174.

Upon occasion of the debate about *Porteous's* affair, the Duke of *Argyle* proposed, that the Judges should deliver their opinions upon the following questions relating to the above act, viz. ‘ 1. If an execution should
‘ be performed in *Stocks-Market*, where a guard of the
‘ regular troops should be drawn up by lawful command to prevent a rescue of the criminal, and should
‘ several stones, thrown from among the crowd, light
‘ among them, by some of which several soldiers should
‘ be bruised and wounded; would such a guard be
‘ guilty of a crime, if, by firing among the crowd,
‘ they should kill several persons? And if guilty of a
‘ crime, what crime would it be? 2. Upon occasion
‘ of a riot in or near a town where a regiment is quartered, should the Sheriff of the County order the
‘ commanding officer to assemble the regiment, and
‘ march to his assistance against the rioters, is such
‘ officer obliged to obey, or may obey? And what
‘ penalty is there, if he should refuse? 3. If a detachment of the army is ordered to prevent a number of
‘ people from pulling down of houses, or committing
‘ any other illegal action, and that the commanding
‘ officer of such detachment has orders to repel force
‘ by force, can such detachment lawfully make use of
‘ force by firing, unless they are attacked by the rioters? 4. In case rioters should be pulling down houses,
‘ or doing any other mischief in one part of the town,
‘ and a detachment of the army should be ordered, in
‘ aid of the civil magistrate, to march thither to disperse them, and a number of people should assemble,
‘ and stop up the passages through which such detachment must necessarily pass, whether such detachment
‘ may use force to disperse the people so assembled, in
‘ order.

‘ order to pass that way, without being first attacked
‘ by them ^a ?’

When the three justices, *Blackerby*, *Howard*, and
Lediard, were rebuked by the Speaker, *A. D.* 1741,
for bringing a party of soldiers, on pretence of quelling
a riot at the poll for *Westminster*, he asked them as
follows :

‘ Has any real necessity been shewn for it ? There
‘ might be fears, there might be some danger ; but did
‘ you try the strength of the law to dispel these fears,
‘ and remove that danger ? Did you make use of these
‘ powers the law has entrusted you with, as civil ma-
‘ gistrates, for the preservation of the public peace ?
‘ No.—You deserted all that ; and wantonly, I hope
‘ inadvertently, resorted to that force the most unna-
‘ tural of all others in all respects to that cause and
‘ business you were then attending, and for the free-
‘ dom of which every Briton ought to be ready almost
‘ to suffer any thing ^b.’

‘ The riot-act, says the author of *Use and Abuse*
‘ of Parliaments ^c, which passed likewise this ses-
‘ sion, no doubt the distempers of these times made
‘ necessary ; but then surely it ought either to
‘ have been temporary, or should have been long
‘ since repealed. For while that yoke is upon our
‘ necks, though we are at liberty to preach resistance,
‘ we have little or no power to practise it ; under
‘ whatever grievances labouring, or by whatever pro-
‘ vocations compelled. A circumstance which, I fear,
‘ these in power are but too well acquainted with.’

‘ Sir, I declare upon my honour (says *Mr. Pulteney*,
‘ in the debate on the repeal of the septennial bill,

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‘ *A. D.*

^a DEB. PEERS, v. 179.

^b DEB. COM. XIII. 105. ^c I. 201.

‘ *A. D.* 1734^a) that of all the actions I ever did in
‘ my life, there is not one I more heartily and sincerely
‘ repent of, than my voting for the passing of that law
‘ [the riot-act]. I believe I am as little suspected of
‘ disaffection to his Majesty, or his family, as any man
‘ in the kingdom. It was my too great zeal for his
‘ illustrious family, that transported me to give that
‘ vote for which I am now heartily grieved. But even
‘ then I never imagined it was to remain a law for
‘ ever. No, Sir! This government is founded upon
‘ resistance; it was the principle of resistance that
‘ brought about the Revolution, which cannot be justi-
‘ fied upon any other principle. Is then passive obedi-
‘ ence and non-resistance to be established by a perpe-
‘ tual law, by a law the most scarce and the most arbi-
‘ trary of any in *England*, and that under a government
‘ which owes its very being to resistance? The Hon.
‘ Gentleman who first mentioned it, said very right;
‘ it is a scandal it should remain in our statute-books;
‘ and I will say, they are no friends to his Majesty, or
‘ to his government, who desire it should: for it de-
‘ stroys that principle upon which is founded one of his
‘ best titles to the crown. While this remains a law,
‘ we cannot well be called a free people; a little Jus-
‘ tice of the Peace, assisted perhaps by a serjeant and a
‘ parcel of hirelings, may almost at any time have the
‘ lives of twenty gentlemen of the best families in *Eng-
‘ land* in his power.’

‘ I shall never be for sacrificing the liberties of the
‘ people, says a Speaker in the House of Peers, in
‘ order to prevent their engaging in any riotous pro-
‘ ceedings; because I am sure it may be done by a
‘ much more gentle and less expensive method. A
‘ wise

^a DEB. COM. VIII. 202.

‘ wise and a prudent conduct, and a constant pursuit
 ‘ of upright and just measures, will establish the autho-
 ‘ rity as well as the power of the government; and
 ‘ where authority is joined with power, the people will
 ‘ never be tumultuous; but I must observe, and I do
 ‘ it without a design of offending any person, that ever
 ‘ since I came into the world, I never saw an admini-
 ‘ stration that had, in my opinion, so much power,
 ‘ or so little authority. I hope some methods will be
 ‘ taken for establishing among the people in general that
 ‘ respect and esteem, which they ought to have for
 ‘ their governors, and which every administration
 ‘ ought to endeavour, as much as possible, to acquire.
 ‘ I hope proper methods will be taken for restoring to
 ‘ the laws of this kingdom their ancient authority;
 ‘ for if that is not done, if the Lord Chief Justice’s
 ‘ warrant is not of itself of so much authority, as that
 ‘ it may be executed by his tipstaff in any county of
 ‘ *England*, without any other assistance than what is
 ‘ provided by the law, it cannot be said that we are
 ‘ governed by law, or by the civil magistrate: If re-
 ‘ gular troops should once become necessary for execu-
 ‘ ting the laws upon every occasion, it could not then
 ‘ be said, that we were governed by the civil power,
 ‘ but by the military sword, which is a sort of govern-
 ‘ ment I am sure none of your Lordships would desire
 ‘ ever to see established in this kingdom^a.’

What Lord *Carteret* said in the House of Peers,
A. D. 1737, on occasion of the affair of *Porteous*, is
 very just.

‘ The people seldom or ever assemble in any riotous
 ‘ or tumultuous manner unless when they are op-
 ‘ pressed, or at least imagine they are oppressed. If the

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‘ people

^a *DEB. PEERS*, V. 142.

‘ people should be mistaken, and imagine they are oppressed when they are not, it is the duty of the next magistrate to endeavour first to correct their mistake by fair means and just reasoning. In common humanity he is obliged to take this method, before he has recourse to such methods as may bring death and destruction upon a great number of his fellow-countrymen, and this method will generally prevail where they have not met with any real oppression: But when this happens to be the case, it cannot be expected they will give ear to their oppressor, nor can the severest laws, nor the most rigorous execution of those laws, always prevent the people’s becoming tumultuous; you may shoot them, you may hang them, but, till the oppression is removed or alleviated, they will never be quiet, till the greatest part of them are destroyed^a.’

The court cant, in support of the practice of calling the soldiery to quell riots, is, That the soldiery are the king’s subjects, as well as other men; and all subjects are obliged to assist the magistrate in case of need. But why must the *soldiery*, rather than any other subjects, be sent for from an hundred miles distance, to quell a disturbance, if it be not that the soldiery are more formidable to the people than any other subjects? Is it not therefore manifest, that every argument for calling in the military is a two-edged one? The more fit the military are for quelling riots, the more fit they likewise must be for quelling the spirit of liberty, and enslaving the people. If disciplined troops be necessary, it is not necessary that those troops be the hirelings of the court, enslaved for life.

The law means, even when it punishes, not revenge,

^a DEB. PEERS, v. 138.

venge, but example. The magistrate is not to mix his passions with the execution of justice; nor is he to enforce the execution of the best laws at all hazards. He is not to fire a city in order to force a nest of thieves out of their lurking holes. Violence on the part of government tends to irritate, not to quiet, the minds of the people. Better fifty were punished legally, than five massacred. Musquet-balls against brick-bats are an unequal match, and cowardly on the part of government. If the train-bands, town-guards, peace-officers, and *posse comitatus* be not sufficient, let the laws concerning them be mended. But let not an army, the bond-slaves of a corrupt court, find, that they have the people under their command, lest they first subdue the people, and then, like *Cromwell's* men, turn upon their own masters.

The way to prevent mobs (every government shews its sagacity more by prevention than by punishment) is, to keep up a good police, to take care that the people be employed and maintained, and that they be well principled, which requires punishing an idle, or incendiary priesthood (as those in *Sacheverel's* time) and making them, and the community where disorders are committed, answerable, according to King *Alfred's* institution; and by a mild and fatherly government's taking care that the people have no just ground of complaint.

By 13 *Henry IV.* it is enacted, that in case of a riot, the Sheriff may come with the *posse comitatus*, if need be, (not with a regiment of soldiers) and arrest the disturbers of the peace, as was ordained by two statutes of *Richard II.* The Sheriff and two Justices are to present the guilty, and they are to be punished (as upon the presentment of twelve jurors) at the discretion of King and Council. But the accused may

traverse, and the cause may be tried before the King's Bench. If the accused do not appear, they are to be held guilty. Sheriffs and Justices neglecting to quell riots to be punished^a.

The learned Judge *Blackstone* reckons the riot-act among the causes of a great accession of power to the court since the Revolution^b.

C H A P. IX.

Of the Liberty of Speech and Writing on Political Subjects.

IN an inquiry into public abuses no one will wonder to find punishment inflicted by government upon complainers, reckoned as an abuse; for it certainly is one of the most atrocious abuses, that a free subject should be restrained in his inquiries into the conduct of those who undertake to manage his affairs; I mean the administrators of government: for all such are undertakers, and are answerable for what they undertake: but if it be dangerous and penal to inquire into their conduct, the state may be ruined by their blunders, or by their villanies, beyond the possibility of redress.

There seems to be somewhat unnatural in attempting to lay a restraint on those who would criticise the conduct of men who undertake to do other people's business. It is an offence, if we remark on the decision of a court of law, on the proceedings of either house of parliament, or of the administration; all whose proceedings we are immediately concerned in. At the same

^a STAT. AT LARGE, I. 448.

^b COMM. IV. 434.

same time, if a man builds a house for himself, marries a wife for himself, or writes a book, by which the public gets more than the author, it is no offence to make very severe and unjust remarks.

Are Judges, Juries, Counsellors, Members of the House of Commons, Peers, Secretaries of State, or Kings, infallible? Or are they short-sighted, and perhaps interested, mortals?

In a petition to parliament, a bill in chancery, and proceedings at law, libellous words are not punishable; because freedom of speech and writing are indispensably necessary to the carrying on of business. But it may be said, there is no necessity for a private writer to be indulged the liberty of attacking the conduct of those who take upon themselves to govern the state. The answer is easy, viz. That all history shews the necessity, in order to the preservation of liberty, of every subject's having a watchful eye on the conduct of Kings, Ministers, and Parliament, and of every subject's being not only secured, but encouraged in alarming his fellow-subjects on occasion of every attempt upon public liberty, and that private, independent subjects *only* are like to give faithful warning of such attempts; their betters (as to rank and fortune) being more likely to conceal, than detect the abuses committed by those in power. If, therefore, private writers are to be intimidated in shewing their fidelity to their country, the principal security of liberty is taken away.

Punishing libels public or private is foolish, because it does not answer the end, and because the end is a bad one, if it could be answered.

The Attorney General *De Grey* confessed in the House of Commons, *A. D.* 1770^a, 'that his power

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of

^a ALM, DEB. COM. IX. 22.

‘ of filing informations *ex officio* is an odious power,
‘ and that it does not answer the purpose intended;
‘ for that he had not been able to bring any libeller to
‘ justice.’ Mr. *Pownal* shewed that power to be illegal
and unconstitutional; for that, according to law, no
Englishman is to be brought upon his trial, but by pre-
sentment of his country; a few particular cases ex-
cepted.

When the lawyers say a libel is criminal, though
true, they mean, because it is, according to them, a
breach of the peace, and tends to excite revenge.
They allow, that the *falsehood* of the charge is an ag-
gravation^a, and that, therefore, the person libelled has
no right to damages, if the charges laid against him be
true. But by this rule it should seem, that the *truth*
of the libel should take away all its criminality. For
if I have no right to damages, I have no pretence to
seek revenge. Therefore to libel me for what I cannot
affirm myself to be innocent of, is no breach of the
peace, as it does not naturally tend to excite revenge,
but rather ingenuous shame and reformation.

Let us hear on this subject the excellent Lord *Ghes-*
terfield, on the bill for licensing the stage, *A. D.*
1737.

‘ In public, as well as private life, the only way to
‘ prevent being ridiculed or censured, is to avoid all
‘ ridiculous or wicked measures, and to pursue such
‘ only as are virtuous and worthy. The people never
‘ endeavour to ridicule those they love and esteem, nor
‘ will they suffer them to be ridiculed. If any one at-
‘ tempts it, their ridicule returns upon the author; he
‘ makes himself only the object of public hatred and
‘ contempt. The actions or behaviour of a private
‘ man

^a *Blackstone*, iv. 150.

‘ man may pass unobserved, and consequently unap-
‘ plauded and uncensured; but the actions of these in
‘ high stations, can neither pass without notice nor
‘ without censure or applause; and therefore an admi-
‘ nistration without esteem, without authority, among
‘ the people, let their power be ever so great or ever so
‘ arbitrary, will be ridiculed: the severest edicts, the
‘ most terrible punishments cannot prevent it. If any
‘ man, therefore, thinks he has been censured, if any
‘ man thinks he has been ridiculed, upon any of our
‘ public theatres, let him examine his actions he will
‘ find the cause, let him alter his conduct he will find
‘ a remedy. As no man is perfect, as no man is infal-
‘ lible, the greatest may err, the most circumspect may
‘ be guilty of some piece of ridiculous behaviour. It
‘ is not licentiousness, it is an useful liberty always
‘ indulged the stage in a free country, that some great
‘ men may there meet with a just reproof, which none
‘ of their friends will be free enough, or rather faithful
‘ enough to give them. Of this we have a famous in-
‘ stance in the *Roman* history. The great *Pompey*,
‘ after the many victories he had obtained, and the great
‘ conquests he had made, had certainly a good title to
‘ the esteem of the people of *Rome*. Yet that great
‘ man, by some error in his conduct, became an object
‘ of general dislike; and therefore in the representation
‘ of an old play, when *Diphilus* the actor came to re-
‘ peat these words, *Nostrâ miseriâ tu es magnus*, the
‘ audience immediately applied them to *Pompey*, who
‘ at that time was as well known by the name of *Mag-*
‘ *nus* as by the name *Pompey*, and were so highly
‘ pleased with the satire, that, as *Cicero* tells us, they
‘ made the actor repeat the words one hundred times
‘ over. An account of this was immediately sent to
‘ *Pompey*, who, instead of resenting it as an injury,
‘ was

‘ was so wise as to take it for a just reproof. He examined his conduct, he altered his measures, he regained by degrees the esteem of the people, and then he neither feared the wit, nor felt the satire of the stage. This is an example which ought to be followed by great men in all countries ^a.’

Even the cruel *Tiberius*, when in good humour, could say, ‘ In a free state, the mind and the tongue ought to be free.’ *Titus* defied any one to scandalize him. *Trajan* published absolute liberty of speech and writing. *Constantine*, when he was told that some ill-disposed persons had battered his head and face, meaning those of his statue, felt himself all about those parts, and told his courtiers, he found nothing amiss; desiring that they would take no trouble about finding out the violators of the statue.

Mr. *Gordon* ^b allows the maxim, that a libel is not the less a libel for being true. But this holds, he says, only in respect of *private* characters; and it is quite otherwise, when the crimes of men affect the *public*. We are to take care of the public safety at all adventures. And the loss of an individual’s, or a whole ministry’s *political* characters, ought to be despised, when put in competition with the fate of a kingdom. Therefore no free subject ought to be under the least restraint in respect to accusing the greatest, so long as his accusation strikes only at the *political* conduct of the accused: his private we have no right to meddle with, but in so far as a known vicious private character indicates an unfitness for public power or trust. But it may be said, this is a grievous hardship on those who undertake the administration of a nation; that they

^a DEB. PEERS, v. 214.

^b *Cato’s* LET. I. 246.

they are to run the hazard of being thus publicly accused of corruption, embezzlement, and other political crimes, without having it in their power to punish their slanderers. To this I answer, It is no hardship at all, but the unavoidable inconvenience attendant upon a high station, which he who dislikes must avoid, and keep himself private. *Cato* was forty times tried. But we do not think the worse of *Cato* for this. If a statesman is liable to be falsely accused, let him comfort himself by recollecting, that he is well paid. An ensign is liable to be killed in war; and he has but 3s. 6d. a day. If a statesman has designedly behaved amiss, he ought to be punished with the utmost severity; because the injury he has done, is unboundedly extensive. If he has injured the public through weakness, and without wicked intention, he is still punishable; because he ought not to have thrust himself into a station for which he was unfit. But, indeed, these cases are so rare (want of *honesty* being the general cause of mal-administration), that it is scarce worth while to touch upon them. If a statesman is falsely accused, he has only to clear his character, and he appears in a fairer light than before. He must not insist on punishing his accuser: for the public security requires, that there be no danger in accusing those who undertake the administration of national affairs. The punishment of political satyrists gains credit to their writings, nor do unjust governments reap any fruit from such severities, but insults to themselves, and honour to those whom they prosecute.

A libel is in fact (criminally speaking) a *non entity*, *i. e.* there is no such offence as scandal. For if the punishment was taken away, the whole of the evil would be taken away, because nobody would regard scandal; but people would believe every person's character

racter to be what they knew it. The old philosopher said all in a sentence, 'Live so that nobody shall believe your maligners.'

Filing informations by rule of court on motion of counsel, tends to set aside the old constitutional method of indictment and presentment by jury. But informations filed *ex officio* by the Attorney General, are not more consistent with libels than letters of cachet.

A. D. 1765, a motion was made in the house of commons, 'That general warrants for apprehending the authors of seditious or treasonable libels, and for seizing their papers, are not warranted by law, though they have been customary.' Nothing done in the matter. The house was too tender of the power of the court to make a resolution so favourable to the liberty of the subject.

General warrants are not a whit more reconcilable to liberty, than the *French* king's *Lettres de Cachet*. A general warrant lays half the people of a town at the mercy of a set of *russian* officers, let loose upon them by a secretary of state, who assumes over the persons and papers of the most innocent a power which a *British* king dares not assume, and delegates it to the dregs of the people; in consequence of which the most delicate secrets of families may be divulged; a greater distress to the innocent than the loss of liberty, or in some cases even of life.

Mr. *Pitt* issued out two general warrants, but neither on account of libels. One was, to stop certain dangerous persons going to *France*, and the other, for seizing a supposed spy, both in time of war^a.

The Duke of *Newcastle* issued innumerable warrants on frivolous occasions, as libels on the ministry, &c.

In

^a *Alm.* DEB. COM, VI. 270.

In all cases of danger to the main, there ought to be a regular and legal suspension by parliament of the *Habeas Corpus* act, as is usual in times of rebellion; which (supposing parliament incorrupt) would secure the state, and at the same time save the liberty of the subject inviolate. If it be objected, that it is not worth while to have the *Habeas Corpus* act suspended by parliament for the sake of apprehending a single incendiary; be it answered, that then it is certainly not worth while on that account to issue an illegal, unconstitutional general warrant, to the violation of the subject's liberty, as often as a capricious secretary of state shall think proper.

In the arguments against the privy-council's arbitrary power of committing to prison by an anonymous member, *A. D.* 1681, he quotes laws for restraining this power as old as 9 *Henry III.* 5 *Edw. III.* c. 9. 25 *Edw. III.* c. 4. 28 *Edw. III.* c. 3. 37 *Edw. III.* c. 18. 38 *Edw. III.* c. 9. and 42 *Edw. III.* c. 3. Besides *Magna Charta*, *Habeas Corpus*, bill of right, petition of right, &c. which ordain, that no man shall be imprisoned, or stripped, or distrained, or outlawed, or condemned, or corporally punished, but by presentment and trial by his peers, &c. That informers, who deceive the king into unjust commitments, shall be bound over to prosecute, and be answerable for damages by suffering the punishment they designed to bring on the innocent, or be obliged to satisfy the injured. But all these have been violated by the privy-council's sending for gentlemen from very distant parts, to their great vexation, and imprisoning arbitrarily, without other authority or proceeding than order of privy-council, and no redress or punishment inflicted on the false informer, according to 37 *Edw. III.* c. 18^a.

Shippen

^a DEB. COM. II. 140.

Shippen makes a speech against the suspension of the *Habeas Corpus* act. Over-ruled^a. The king did certainly make no bad use of his power. And in a time of open rebellion, it seems necessary that there be such a power somewhere. But I think it would be better in the hands of a committee of the house of commons, who should always sit; but this supposes an independent house of commons.

A. D. 1766, Sir *W. Meredith* moved the house of commons, that it might be resolved, That general warrants and seizure of papers are violations of the rights of the subject. Instead of which, almost the direct contrary was resolved^b. Yet it seems manifest, that nothing can be imagined more inconsistent with freedom (to say nothing of the *right* which every free subject has to speak and write of public affairs), than putting a discretionary power into the hands of a set of low-bred, unprincipled, and beggarly officers or messengers, who may be *expected* to abuse their power, and are incapable of answering the damages of seizing the persons and papers of the innocent instead of the guilty. No man ought to be hindered saying or writing what he pleases on the conduct of those who undertake the management of national affairs, in which all are concerned, and therefore have a right to inquire, and to publish their suspicions concerning them. For if you punish the *slanderer*, you deter the *fair inquirer*. But even supposing *real* and justly punishable guilt, no subject is to be molested but on well-grounded suspicion declared upon oath. Suppose the coroner's jury, upon a person found dead with marks of violence, brings in their verdict 'wilful murder against persons unknown;'

^a DEB. COM. VI. 60.

^b LOND. MAG. Aug. 1766. p. 396.

Chap. IX. DISQUISITIONS.

‘known;’ we are not immediately to let loose a set of ruffian officers to seize and imprison the persons, rummage and expose the most secret papers, and carry off the bank-notes they find in the bureaux of the next twenty housekeepers. No; nor have our secretaries of state ever proceeded in this manner on such occasions. They have only broke loose upon the liberty of the subject when their maleadministrations have been exposed. Nor is this unnatural for such a sort of men. But what shall we think of a house of commons (once the constant and faithful guardians of our liberty, once our never-failing protectors against regal and ministerial encroachments), who refused to declare the lawless proceedings of secretaries of state unwarrantable, and supported their tyranny over the people, till a more faithful expounder of the law^a wrenched it out of their hands?

The same year, 1766, a motion was made—but in vain—for abolishing the custom of the attorney general’s *ex-officio*-informations, as oppressive to the subject, because that officer cannot be called to account for the damages suffered by innocent persons informed against by him.

It has been pretended, that it is impossible to administer government without general warrants. But this is a mistake. For all that is necessary, even when treasonable designs are suspected to be carrying on, is watchfulness in magistrates and officers to find out the guilty persons, who, when found or reasonably suspected, are to be apprehended by a special warrant from a magistrate, who is supposed to be a person of such fortune, as to be responsible for whatever damage an innocent person may suffer, if unjustly apprehended and

^a Lord Camden.

and imprisoned. Whereas to trust this power in the hands of a set of brutal and beggarly officers, is needlessly putting the safety of the best subjects in the power of the lowest of the people, unless the person who grants the general warrant be answerable for the behaviour of his officers, which is laying *him* at their mercy. If this be disputed, let it be considered, that supposing a set of persons taken up by general warrant, if they cannot be convicted, they must be set at liberty, whether guilty or innocent. And if they, or any of them, proves to be guilty, there must have been ways and means of fastening upon him sufficient suspicions to justify the issuing out a *special* warrant against him; else we must suppose the whole set taken at random, and the guilty afterwards found among them by chance. To issue a warrant for apprehending all persons who shall be found in the actual commission of punishable actions, may be at some times necessary; and this necessity does, in no respect, defend general warrants; because the confining of a warrant to those who are taken in circumstances of guilt, makes it a special warrant, and secures the innocent, (which is all that is wanted) from trouble.

To seize all the papers indiscriminately of the supposed writer of an accusation against a statesman, probably a just accusation (for there is little danger of accusing a statesman undeservedly), is treating the friend of his country, and detector of villany, worse than we treat a thief or a highwayman. For we seize nothing of what we find in the possession of such people, but what is likely to have been unfairly come by. But the truth is, neither thief nor murderer, is so much the object of a statesman's vengeance, as the man who detects and exposes ministerial rapacity.

In the pleadings for *Almon* against a writ of attachment, it was observed, that in prosecuting by attachment ‘the court exercises the peculiar and distinct provinces of party, judge, evidence, and jury.’^a

It was, among other things, argued in defence of him against a writ of attachment, that Lord *M*— had several methods of doing himself justice without this unconstitutional one; he was a member of a most illustrious body, who would never suffer the slightest reflection on the character of any of their members to pass unnoticed or uncensured; that as a peer of the realm, he was entitled to his action of *scandalum magnatum*, wherein he need not fear but that a jury would give him a proper satisfaction for any injury he should prove to them he had received.

Let us observe how differently different men have behaved in respect to liberty of speech, and writing on political subjects.

Timoleon, when he was advised to punish one who had scandalized him, answered, ‘So far from punishing on such occasions, I declare to you, that it has long been my prayer to the gods, that *Syracuse* might be so free, that any man might say what he pleased of every person.’^b

Domitian encouraged the informers as much as *Titus* discouraged them.^c

Constantine punished the *delatores*, or informers, with death.^d

Theodosius repealed the laws against seditious words. ‘If,’ says he, ‘such words proceed from levity, they
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^a LOND. MAG. June 1765, p. 310.

^b Corn. Nep. VIT. TIMOL.

^c ANT. UNIV. HIST. xv. 54.

^d Ibid. 563.

“are to be despised; if from folly, to be pitied; if from malice, to be forgiven.” [I suppose, because the malicious are sufficiently punished, by leaving them to their malice, and because the more injurious the offender, the more humanity, and the more christian spirit appears in forgiving him ^a.]

Augustus used to say, *in liberâ civitate*, &c. “In a free state, the tongues of the subjects ought to be free.”

The Abbé *de Thou* compliments *Henry IV.* of *France*, that his subjects might speak, as well as think, freely. *Tacitus* celebrates the Emperor *Trajan* on the same account.

Caligula rejected an information of a pretended conspiracy against his life, saying, “I am not conscious to myself of any action that can deserve the hatred of any man, therefore I have no ears for informers^b. Happy for himself and *Rome*, had he kept in this way of thinking! How pitiful the case of a prince or a statesman listening after railers and scribblers! How glorious that of the prince or statesman, whose rectitude of conduct enables them to rise superior to the malignancy of the envious and seditious!

Titus never shewed severity, but against informers^c. If libellers attacked him unjustly, he held them more pitiable than blamable (because they made themselves odious); if they accused him justly, nothing could be more unjust than to punish them.

Mild means for this purpose are much preferable to severities. The intriguing *Spanish* ambassador *Gondomar* bribed even the ladies, to keep up such discourse at their routs as suited his purposes. Omits a present to Lady *Jacobs*. She resented it, and instead of returning

^a ANT. UNIV. HIST. XVI. 440.

^b Ibid. XIV. 266.

^c Ibid. XV. 42.

ing his salute from her window, only gaped at him several times. He sends to know her meaning. She answered, ‘She had a mouth to stop, as well as other ladies^a.’

The *Czarina*^b says, ‘Great care ought to be taken in the examination of libels, how we extend the crime beyond a misdemeanour subject to the police of a town or place, which is inferior to a crime; representing to ourselves the danger of debasing the human mind by restraint and oppression, which can be productive of nothing but ignorance, and must cramp and depress the rising efforts of genius.’

Burnet makes no hesitation about the necessity of the government’s having power to confine suspected persons in times of danger; but not of security^c. It was proposed by the lords, to make some limitations for seizing persons, *A. D.* 1690. But it was rejected by the commons, and they thought it was better to leave the whole to parliament, that they might indemnify violations of *Magna Charta*, when they thought the ministry justifiable in seizing and confining suspected persons.

On occasion of *Plunket*’s conspiracy, *A. D.* 1723, several lords protested on passing the bill of attainder against him, for the following reasons, which express a noble spirit of liberty, and an amiable tenderness for the safety of accused subjects.

‘1. Because bills of this nature, as we conceive, ought not to pass but in case of evident necessity, when the preservation of the state plainly requires it, which we take to be very far from the present case; the conspiracy having been detected so long since, and the
S 2 person

^a *Rapin*, 11. 200.

^b *Czar. INSTR.* p. 186.

^c *Burn. HIST. OWN TIMES*, III. 141.

‘ person accused seeming to us very inconsiderable in all
‘ respects, and who, from the many gross untruths it
‘ now appears he has written to his correspondents
‘ abroad, must appear to have been an impostor and de-
‘ ceiver even to his own party. 2. Proceedings of this
‘ kind, tending to convict and punish, are in the nature,
‘ though not form, judicial, and do let the commons,
‘ in effect, into an equal share with the lords in judi-
‘ cature, which the lords ought to be very jealous of
‘ doing, since the power of judicature is the greatest
‘ distinguishing power the lords have; and there will
‘ be little reason to hope, that if bills of this nature are
‘ given way to by the lords, the commons will ever
‘ bring up impeachments, or make themselves accusers
‘ only when they can act as judges. 3. This bill, in
‘ our opinion, differs materially from the precedents
‘ cited for it; as in the case of Sir *John Fenwick*, ’tis
‘ plain, by the preamble of that bill, that the ground
‘ most relied on to justify proceeding against him in
‘ that manner was, that there had been two legal wit-
‘ nesses proving the high treason against him, that a
‘ bill was found against him on their evidence, and se-
‘ veral times appointed him for a legal trial thereon, in
‘ the ordinary course, which he procured to be put off,
‘ by undertaking to discover, till one of the evidences
‘ withdrew; so that it was solely his fault that he had
‘ not a legal trial by jury; all which circumstances,
‘ not being in the present case, we take it they are not
‘ at all to be compared to one another. 4. As to the
‘ acts which passed to detain *Counter* and others con-
‘ cerned in the conspiracy to assassinate the late King
‘ *William*, of glorious memory, we conceive these acts
‘ were not in their nature bills of attainder, as this is;
‘ but purely to enable the crown to keep them in prison
‘ notwithstanding the laws of liberty; whereas this is a
‘ bill

‘ bill to inflict pains and penalties, and does import a
‘ conviction and sentence on the prisoner, not only to
‘ lose his liberty, but also his lands and tenements,
‘ goods and chattels, of which he having none, as we
‘ believe, we cannot apprehend why it was inserted,
‘ and this bill not drawn on the plan of *Counter’s*, &c.
‘ unless it was to make a precedent for such forfeitures
‘ in cases of bills which may hereafter be brought, to
‘ convict persons who have great estates, upon evidence
‘ which does not come up to what the law in being re-
‘ quires. 5. If there be a defect of legal evidence to
‘ prove this man guilty of high-treason, such defect
‘ always was, and, we think, bills of this nature
‘ brought to supply original defects in evidence do
‘ receive countenance, they may become familiar, and
‘ then many an innocent person may be reached by
‘ them, since ’tis hard to be distinguished, whether that
‘ defect proceeds from the cunning and artifice, or from
‘ the innocence of the party. 6. This proceeding by
‘ bill, does not only, in our opinion, tend to lay aside
‘ the judicial power of the lords, but even the use of
‘ juries; which distinguishes this nation from all its neigh-
‘ bours, and is of the highest value to all who rightly
‘ understand the security and other benefits arising
‘ from it; and whatever tends to alter or weaken that
‘ great privilege, we think, is an alteration in our
‘ constitution for the worse, though it be done by act
‘ of parliament; and if it may be supposed, that any of
‘ our fundamental laws were set aside by act of parlia-
‘ ment, the nation, we apprehend, would not be at
‘ all the more comforted from that consideration, that
‘ the parliament did it. 7. It is the essence of natural
‘ justice, as we think, but is most surely the law of the
‘ realm, that no person should be tried more than once
‘ for the same crime, or twice put in peril of losing his
‘ life,

‘ life, liberty, or estate ; and though we acquiesce in
‘ the opinion of all the judges, that if this bill should
‘ pass into a law, *Plunket* cannot be again prosecuted
‘ for the crimes contained in the preamble of the bill,
‘ yet it is certain, that if a bill of this kind should hap-
‘ pen to be rejected by either house of parliament, or by
‘ the king, the person accused might be attacked again
‘ and again in like manner, in any subsequent session
‘ of parliament, or indeed for the same offence, notwith-
‘ standing that either house of parliament should have
‘ found him innocent, and not passed the bill for that
‘ reason ; and we conceive it a very great exception to
‘ this course of proceeding, that a subject may be
‘ condemned and punished, but not acquitted by it.
‘ 8. We think it appears in all our history, that the
‘ passing bills of attainder as this, we think, in its na-
‘ ture, is, (except, as before is said, in cases of absolute
‘ and clear necessity) have proved so many blemishes to
‘ the reigns in which they passed ; and therefore we
‘ thought it our duty in time, and before the passing
‘ this bill as a precedent, to give our advice and votes
‘ against the passing it, being very unwilling that any
‘ thing should pass which, in our opinions, would in
‘ the least derogate from the glory of this reign.
‘ 9. We apprehended it to be more for the interest and
‘ security of his Majesty’s government, that bills of
‘ this nature should not pass than that they should,
‘ since persons who think at all, cannot but observe,
‘ that in this case, some things have been received as
‘ evidence, which would not have been received in any
‘ court of judicature ; that precedents of this kind are
‘ naturally growing, as we think, this goes beyond any
‘ other which has happened since the Revolution, and
‘ if from such like observations they shall infer, as we
‘ cannot but do, that the liberty and prosperity of the
‘ subject

‘ subject becomes, by such examples, in any degree more
‘ precarious than they were before, it may cause an
‘ abatement of zeal for a government founded on the
‘ Revolution, which cannot, as we think, be compen-
‘ sated by any of the good consequences which are
‘ hoped for by those who approve this bill ^a.’

A. D. 1640, the Earl of *Warwick* and Lord *Brook* were apprehended, and their papers seized, on suspicion of rebellious designs, by warrants from the secretaries of state. They complained of breach of privilege, which it was not, because the supposed crime is not covered by privilege. The warrant was declared illegal; and the proceeding a breach of privilege, because the two lords were in parliament. Satisfaction was made to them, and the clerk of the council brought on his knees before the lords, and afterwards committed to prison.

A. D. 1680, the Lord Chief Justice *Scraggs*’s general warrants for seizing libels, books, pamphlets, &c. were declared by the house of commons arbitrary and illegal, and he was impeached.

A. D. 1692, complaint was made by Lord *Marlborough* and others, of a breach of privilege, they being committed to the Tower, without information upon oath, and bail refused, in time of privilege. On this occasion, a bill was proposed to indemnify secretaries of state for such committments in treasonable cases, and to limit their powers by law. But that incorrupt house of commons would only resolve, that such powers being illegal, secretaries of state should exercise them at their own peril, to be condemned or justified according to the case ^b.

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One

^a *DEB. PEERS*, III. 280.

^b *Alm. DEB. COM.* VI, 282.

One *Spence*, was taken up at *London*, *A. D.* 1684, on suspicion of being concerned in a plot against *Charles II.* He was sent to *Scotland* to be examined. There he was required to take an oath to answer all questions that should be put to him. ‘This,’ says *Burnet*, ‘was done in direct contradiction to an express law against obliging men to swear, that they will answer *super inquirendis*.’ The poor wretch was struck in the boots, he was kept from sleep nine days and nights, and afterwards put to the torture of the thumbkins, till he fainted away^a. See also the horrible cruelties inflicted, about the same time, on *Baillie* and others^b.

Three peers and the bishop of *London*, publicly opposed *James’s* dispensing with the test for papists^c.

Even under *James II.*, the judicious part of the house of commons proposed to demand redress of grievances, before they granted supplies^d.

Mr. Cooke, a member, was sent to the Tower for saying, ‘We are *Englishmen*. We are not to be threatened.’ He was an *Englishman*. But what were they who sent him to the Tower for such a speech?

A. D. 1728, a bill was brought into the house of commons, to prohibit lending money to foreign princes, &c. with a clause, that the attorney-general be empowered by an *English* bill in the court of exchequer, to compel the effectual discovery on oath of any such loans, and that in default of answer to such bill, the court shall decree a limited sum against the defendant refusing to answer. This was like examining by interrogatories.

Walpole said, the same strictness was observed before, in prohibiting commerce with the *Ostend* Company. But

^a *Burn.* HIST. OWN TIMES, II. 252.

^b *Ibid.*

^c *Ibid.* 356.

^d *Ibid.* 358.

But Sir J. Barnard said, the liberties of *Englishmen* were weightier than any arbitrary precedent.

A. D. 1690, when the subscriptions of several lords were forged to certain treasonable papers, which was a direct attempt on the very lives of those noblemen, the offenders, though clearly convicted, were only punished with whipping and the pillory, which, to the reproach of our constitution, is the only punishment our law has yet provided for such practices ^a.

Some lords protested, *A. D.* 1692, against subjecting the press to the ‘arbitrary will of a mercenary, and perhaps ignorant, licenser,’ to the checking of learning, the damage of literary property, and encouragement of monopolies ^b.

Many printers were indicted for scandalous and seditious libels, *A. D.* 1681. The juries brought them off by not finding the writings malicious or seditious, and returned for verdict *ignoramus*^c. They did not bring in for their verdict ‘Guilty of printing and publishing only,’ or, ‘Guilty of what has no guilt in it,’ which we have lately seen done by a learned jury.

In the reign of *George I.*, was industriously spread into many parts of the kingdom, soon after his accession, a pamphlet, intitled, *English Advice to the Freeholders of Great Britain*. Government offered 1000*l.* for discovering the author, and 500*l.* for the printer. In vain it was supposed to have been written by *Atterbury*. Answers were published; which was wiser than setting a price on the author and printer ^d.

A. D. 1770, it was matter of much speculation, that a bookseller should be punished for his servant’s selling
a book

^a *Burn. Hist. Own Times*, III. 141.

^b *Deb. Peers*, I. 419.

^c *Burn. Hist. Own Times*, II. 136.

^d *Tind. Contin.* I. 414.

a book which was brought into his shop, while he was out of town, and though proof was offered, that the bookseller disallowed the selling of the book^a. The bookseller was put to 140 l. expence, and obliged to find bail to the value of 800 l.

These severities upon private persons, who write and speak freely of ministerial conduct, would, by an incorrupt parliament be immediately restrained, and the subjects be set at liberty to remark as they pleased, upon the conduct of those who undertook the management of their affairs; but while ministers have a scheme of iniquity to carry on, it is not to be wondered that they endeavour, by all manner of severities, to drive away those who come with prying eyes to inquire into their proceedings.

^a *Alm. DEB. COM. IX. 74.*

C O N C L U S I O N.

Addressed to the independent Part of the People
of GREAT-BRITAIN, IRELAND, and the Co-
LONIES.

My dear Countrymen and Fellow-subjects,

I HAVE in these volumes laid before you a faithful and a dreadful account of what is, or is likely soon to be, the condition of public affairs in this great empire. I have exposed to your view some of the capital abuses and grievances, which are sinking you into slavery and destruction. I have shewn you, that as things go on, there will soon be very little left of the *British* constitution, besides the name and the outward form. I have shewn you, that the house of representatives, upon which all depends, has lost its efficiency, and, instead of being (as it ought) a check upon regal and ministerial tyranny, is in the way to be soon a mere outwork of the court, a *French* parliament to register the royal edicts, a *Roman* senate in the imperial times, to give the appearance of regular and free government; but in truth, to accomplish the villanous schemes of a profligate junto, the natural consequences and unavoidable effects of inadequate representation, septennial parliaments, and placemen in the house. All which shews the absolute necessity of regulating representation, of restoring our parliaments to their primitive annual period, and of disqualifying dependents on the court from voting in the house of commons.

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I am mistaken, if there be not many persons of consequence in the state, who, by reading these collections, will see the condition of public affairs to be much more disorderly than they could have imagined. For my own part, though I have long been accustomed to look upon my country with fear and anxiety, I own frankly, that till I saw the abuses and the dangers displayed in *one view*, I did not see things in the horrid light I now do. Nor can I expect the readers of these volumes to see them in the same light, because these volumes do not contain all the abuses I have collected, though they contain enough to put out of all doubt the necessity of redress; as a prudent person, if he observed one of his out-houses on fire, would extinguish it in all haste, though he did not think his dwelling house in immediate hazard. I wish we could say, it is only an out-work that is in danger. The main body of the building, the parliament itself, on which all depends, is in a ruinous condition. Accordingly, I have not in the foregoing part of this work amused you, my good countrymen, with a set of frivolous or trifling remarks upon grievances which, though removed, would still leave others remaining, to the great distress and disadvantage of the subjects. The grievances I have pointed out, are such as all disinterested men must allow to be real; and such as, if redressed, would insure the redress of all other grievances of inferior consequence; which is more than can be said of many of those that have been pointed out in our late petitions and remonstrances. Concerning them wise and good men, and true friends to liberty, have differed; but no wise and good man, or true friend to liberty, can doubt, whether *England* can be safe with a corrupt parliament, and the various other disorders and abuses
above

above pointed out, remaining unredressed and uncorrected.

Nor have I, my good countrymen, advised you to repose your confidence in one set of men rather than another. I have not told you, that the *Rockingham* party can save you any more than the *Bedford* party. I have not advised you to put your trust in Lord *Bute* rather than Lord *Chatham*. The truth is, that any set of ministers must misconduct the affairs of the nation, so long as the nation itself is upon a bad footing. And it is equally true, that an incorrupt parliament will make any ministry upright.

‘The wisdom of these latter times in princes’ affairs, is rather fine deliveries, and shiftings of dangers and mischiefs when they are near, than solid or grounded courses to keep them aloof^a.’

Have I, my good countrymen, imposed upon you in the least article? Can you seriously bring yourselves even to doubt, whether the grievances I have pointed out, be really such? Do you sincerely believe it possible to go on in the track we are now in? Is there a shadow of consistency between the present state of our public affairs, and liberty, safety, peace, or the *British* constitution? While the enemies of your liberties are active and vigilant to seize every opportunity for increasing their own emoluments, and their own power, and you are timid and thoughtless of your own safety, will your public grievances redress themselves? Will corruption and venality die away of course, or will they spread wider and wider, and take still deeper root, till at last it will become impossible to eradicate them? Look into the *Roman* history, and see how corruption in the people, and tyranny in the emperors, went

^a *Bac. ESSAYS.*

went on increasing from *Augustus* to *Didius*, who fairly bought the empire, when it was put up to sale. Look back but a little way into your own history. It is but 86 years since the Revolution, a very short period, a lifetime ! Yet we have not been able, or have not been willing, to keep up, for this short time, the constitution then settled, because indeed it was so imperfectly established at that time, and because we have been almost ever since in the hands of a set of foreign kings, and of flagitious ministers, which last have traitorously abused your easy generosity, and have, by introducing corruption, in great measure undone what was done by expelling the *Stuarts*. The standing army, the number of placemen in the house, the extension of excise-laws, and various other abuses, have crept on still increasing, till at last they are settled into a part of the constitution, and what formerly produced severe remonstrances, and violent debates in parliament, pass now unquestioned, and without debate or division.

Some unthinking, or interested, or timid people among us, insist, that there is no need of any reformation; that all is safe and secure; whilst others of a more dejected disposition allege, that all is gone past recovery; that reformation is chimerical and impossible; and that we have nothing left, but to sink as quietly as we can into ruin, bankruptcy, slavery, and whatever else we have brought upon ourselves. These opinions cannot both be right, because they are diametrically opposite; but they may, and I hope are, both wrong.

It is the cant of the court. ‘Representation has always been inadequate; parliaments have long been septennial; place-men have sat long in the house.’ So king *John* told his barons, ‘The privileges granted by *Henry I.* have been long lost; you have been long
‘ in

‘ in a state of very imperfect liberty.’ So at the Revolution the *Jacobites* might have said, ‘ The *Stuart* government has been long established. Why should the house of *Orange* be brought in, &c. ?’ This way of arguing is all heels uppermost. The longer grievances have continued, the more reason for redressing them.

Ministers think themselves in duty bound to their utmost to persuade you, my good countrymen, that all is safe. Yet it is strange, that they should think you so very easy of belief, that they should put into certain speeches assertions so very liable to contradiction. ‘ I can have no other interest, than to reign in the hearts of a free and happy people.’ That a particular prince may *actually* have, upon the whole, no interest different from that of his subjects, may be affirmed ; but to say, he *can* have no other, or, ‘ that it is not *possible*, he should think himself interested in pursuing measures hurtful to his subjects ;’ is asserting what all history confutes. If there were a natural impossibility in the prince’s gaining by the subject’s loss, (as it is impossible, for instance, the king of *Bantam* should be advantaged by *Britain*’s being too heavily taxed) this might have been affirmed. But will any man say, it *can* be no more advantage to one of our kings, than to the king of *Bantam*, that the civil list revenue be double ? If this cannot be said, neither can it be said, that our kings ‘ *can* have no other interest, than to reign in the hearts of a free and happy people.’

Again, in the same spirit. ‘ The support of our constitution is our common duty and interest. By that standard I would wish my people to try all public principles

‘principles and professions.’ Excellent! If it were but well founded. But what is our constitution?

Ans. Government by king, lords, and commons. Do we enjoy the spirit and efficiency of this constitution? The king does no evil. But does not the *court* influence the greatest part of our elections? Do not many of the lords extend their power beyond their own house? Can the house of commons be called even the shadow of a representation of the property of the people? Are septennial parliaments the constitution? Is a house of commons filled with placemen and pensioners the constitution? Is the *ministry’s* assuming in parliament the power and place of king, lords, and commons, the constitution? Will any man deny, that this has of late years been too much the state of things? Is not then a ministry’s recommending the support of our constitution, while our constitution is almost annihilated, a solemn mockery? Is there any means for supporting the constitution, besides restoring it to its true spirit and efficiency by shortening parliaments, by making representation adequate, by incapacitating placemen and pensioners, &c. Ought not these salutary reformatations to have been the burden of this speech, of every speech, and not recommendations to the members to lull the people in their several countries into a fatal security, which the speeches call submission to government, and supporting the constitution? Does not this shew you, my good countrymen, what hands you are in?

Compare the lullaby strain of this speech, with the complaints in the petition of the livery of *London* to the king, in the year 1769, two years before the date of the above speech. The speech represents all as safe and secure. But the speech is penned by those whose interest it is to have you believe that all is well. The

petition

petition comes from the independent, unbiassed people, who *feel*, that all is not well.

The chief complaints in it are, that the ministry had invaded the right of trial by jury; had made use of the illegal courses of general warrants, and seizure of papers; had evaded the *habeas corpus* act; had punished [*Bingley*] without trial, conviction, or sentence; had used the military, where the peace-officers were sufficient, and had murdered the subjects, whom they ought only to have apprehended; had screened murderers convict of their own party; had established unjust and arbitrary taxes in the colonies; had procured the rejection from a seat in parliament, of a member no way unqualified by law, and the reception of one not chosen by a majority of the electors; had procured the payment of pretended deficiencies in the civil list without examination; had rewarded, instead of punishing, the public defaulter of unaccounted millions, &c. Heavy grievances all! But these were not the worst. What they should have dwelt upon, was, inadequate representation, septennial parliaments, ministerial influence in parliament, &c. Can it then be said, my good countrymen, that all is safe, and there is no need of any reformation?

Mr. *Page*, member for *Chichester*, in his very judicious farewell to his constituents, says, ‘the *British* constitution is going to ruin faster than perhaps appears to the common eye^a.’

Again, it is said, by the lullers, ‘what probability that 800 men of property should enslave their country?’

Who would have thought that the *Roman* senate, men of great property, would join the triumviri,

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^a LOND. CHRON. October 2, 1767.

whose visible design was to enslave their country? Who would have thought, that, when *Julius* was cut off, and a door again opened for the restoration of liberty, the men of property would not all join the party of *Brutus* and *Cassius*? Who would have thought, that, when the men of property saw the army of *Brutus* and *Cassius* equal to that of the tyrant at *Philippi*, they should not all, as one man, repair to the standard of liberty?

The destroyers of the virtue and liberty of the *Romans*, brought that once virtuous and free people to think the imperial form of government necessary. A corrupt government in *England* may bring the people to wish to be rid of parliaments.

‘The crown of *Denmark* was elective, and subject to a senate. In one day, it was, without any visible force, changed into hereditary, and absolute, no rebellion, nor convulsion of state following^a.’ So soon may a nation lose its liberties. This was mentioned to *Charles II.* by his courtiers, when they encouraged him to make himself absolute^b.

The crown of *Sweden* was formerly elective, with narrow powers and prerogatives. Nobles and clergy, encroaching and tyrannical, used to decide their quarrels by private wars; which produced continual scenes of confusion and cruelty. *Gustavus Ericson* being successful against the tyrannical *Danes*, who lorded it over *Sweden* and other countries, gains the affections of the *Swedes*. They enlarge his privileges, to render him more powerful against the *Danes*. They give him church lands, and humble the tyrannical clergy. The reformation prevailing in *Sweden*, *Gustavus* takes the opportunity of demolishing the Roman catholics,

^a Burn. HIST. OWN TIMES, I. 377.

^b Ibid.

catholics, on pretence of favouring *Luther*. *Gustavus* thus becomes absolute, and the crown of *Sweden* hereditary. Afterwards the crown was reduced again. After that, the senate was abolished by *Charles IX.* who becomes one of the most absolute princes of *Europe*, in consequence of a pretended misbehaviour of the senate. Thus the *Swedish* monarchs were once limited and elected; then absolute, and hereditary; then limited again; then absolute again; then limited after the tyrant *Charles IX.* and then absolute in the time of *Charles XII.* and then limited again, and now totally enslaved. For *Eleonora Ulrica*, upon *Charles XIIth's* death, offered the states of *Sweden* conditions, if they would elect her, and set aside the duke of *Holstein*, the more lineal heir. They elected and limited her effectually. But the people are enslaved still to the nobles, and the nation to the sovereign^a. So unsteady and fluctuating has the political barometer of *Sweden* been; and so variable and so precarious a thing is liberty. Have you not then, my good countrymen, reason to be jealous of your liberties?

I cannot help considering judge *Blackstone* as one of the many among us, who endeavour to lull us asleep in this time of danger. I own I do not understand his ideas of free government.

‘Wherever, says he^b, the law expresses its distrust
‘of abuse of power, it always vests a superior coercive
‘authority in some other hand to correct it; the very
‘notion of which destroys the idea of sovereignty. If,
‘therefore, for example, the two houses of parliament,
‘or either of them, had avowedly a right to animadvert
‘on the king, or each other, or if the king had a right
‘to animadvert on either of the houses, that branch of

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^a MOD. UNIV. HIST. XXXIII. 10, 13, 14.

^b COM. I. 244.

‘ the legislature so subject to animadversion, would instantly cease to be part of the supreme power; the balance of the constitution would be overturned; and that branch or branches, in which this jurisdiction resided, would be completely sovereign. The supposition of *law* therefore is, that neither the king, nor either house of parliament (collectively taken) is capable of doing any wrong; since in such cases the law feels itself incapable of furnishing any adequate remedy. For which reason all oppressions, which may happen to spring from any branch of the sovereign power, must necessarily be out of the reach of any *stated rule*, or *express legal* provision; but if ever they unfortunately happen, the prudence of the times must provide new remedies upon new emergencies.’

Here the learned judge tells us, that, because neither can the king exercise an arbitrary restraining power over either of the houses of parliament, nor either or both houses of parliament over the king,—therefore what?—Therefore ‘ the supposition of *law* is, that none of the three branches of the legislature can do wrong, because the law feels itself incapable of furnishing an adequate remedy.’ If the law, or the lawyers, suppose, that none of the three branches of the legislature is capable of doing wrong, for that they are supreme, and whatever the supreme power establishes must of course be right, as none can say to the supreme power, what dost thou? yet history shews, that king, lords, and commons, have often (as was to be expected from the weakness of human nature) done very wrong things. And though the law ‘ feels itself incapable of furnishing any adequate remedy;’ does it therefore follow, that there is no adequate remedy? The judge says, the prudence of future times must find new remedies upon new emergencies; and afterwards

afterwards adds, that we have a precedent in the Revolution of 1688, to shew what may be done if a king runs away, as *James II.* did. Insinuating, that, if we had not such a precedent, we should not know how to proceed in such a case; and says expressly, that ‘so far as this precedent leads, and no farther, we may now be allowed to lay down the *law* of redress against public oppression.’ Yet he says, p. 245. that ‘necessity and the safety of the whole, may require the exertion of those inherent (though latent) powers of society, which no climate, no time, no constitution, no contract, can ever destroy, or diminish.’ For my part, I cannot see the use of all this hesitating, and mincing the matter. Why may we not say at once, that without any urgency of distress, without any provocation by oppression of government, and though the safety of the whole should not appear to be in any immediate danger, if the people of a country think they should be, in any respect, happier under republican government, than monarchical, or under monarchical than republican, and find, that they can bring about a change of government, without greater inconveniencies than the future advantages are likely to balance; why may we not say, that they have a sovereign, absolute, and uncontrollable right to change or new-model their government as they please? The authority of government, in short, is only superior to a minority of the people. The majority of the people are, rightfully, superior to it. Wherever a government assumes to itself a power of opposing the sense of the majority of the people, it declares itself a proper and formal tyranny in the fullest, strongest, and most correct sense of the word. I must therefore beg leave to submit to the public, whether the learned judge is not clearly erroneous in his meaning,

as well as his words, when he says, p. 251, that ‘national distress alone can justify eccentric remedies applied by the people.’ I think I may safely defy all the world to prove, that there is any necessity of any distress, or of any reason assigned for a people’s altering, at any time, the whole plan of government, that has been established in their country for a thousand years; besides their will and pleasure. I am not speaking of the *prudence* of such a step; nor do I justify a people’s proposing to alter their constitution, if such alteration is likely to be followed by worse evils, than it is likely to redress; nor have I any thing to say concerning the difficulty of obtaining the real sense of the majority of a great nation. But I assert, that, saving the laws of prudence, and of morality, the people’s mere absolute, sovereign will and pleasure, is a sufficient reason for their making any alteration in their form of government. The truth is therefore, that the learned judge has placed the sovereignty wrong, viz. in the government; whereas it should have been in the people, next, and immediately under God. For the people give to their governors all the rightful power they have. But no body ever heard of the governors giving power to the people. If the teachers of the exploded doctrine of the divine right of kings, had taught the divine right of the people, they had stated that point in a just and proper manner.

The more impudent part of our court-men, if you express anxiety about the state of public liberty, will ask you, Whether you think the ministry are a set of *Turks*, who want to introduce at once the bamboo, and the bow-string, or a set of cannibals who want to eat all the friends of liberty? Hear the excellent lord *Strange* on the *gradual* and imperceptible, and therefore

fore more formidable progress of tyranny in countries once free^a.

‘ Whilst arbitrary power is in its infancy, and creeping up by degrees to man’s estate, no doubt it will, it *must*, refrain from acts of violence and compulsion. It will by bribery gain the consent of these it has not as yet got strength enough to compel; but when it is by bribery grown up to its full strength and vigour, even bribery itself will be neglected, and whoever then opposes its views will be ruined, either by open violence, or false informations, and cooked up prosecutions. I shall grant, Sir, that if the question were put in plain and direct terms, no man, or at least very few, would agree to give up their property in their estates for the sake of a much greater estate or pension depending upon the will of an arbitrary sovereign. But such a question never was, nor ever will be, put by those who aim at arbitrary power. They always find specious pretences for some new powers, or some little increase of power, and then another new power, or another little increase of power, till at last their power becomes by degrees uncontrollable; and men of corrupt hearts, are by mercenary motives prevented from considering or foreseeing the consequences of the new or additional powers they grant. It is, I think, highly probable, that *Julius Cæsar* had laid the scheme of enslaving his country, before he obtained the province of *Transalpine Gaul*. For this purpose he rightly judged, that it was necessary to get a great army under his command, and by his continuance in success in that command, to render that army more attached to him than the laws and liberties of their country. For

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‘ obtaining

^a DEB. COMM. XIV. 41.

‘ obtaining that command, and for continuing in it,
‘ he knew he must depend upon the votes of his fel-
‘ low-citizens. If he had told his fellow-citizens, that
‘ he wanted from them such an army as might enable
‘ him to oppress the liberties of his country, they
‘ would certainly have refused it. Notwithstanding
‘ the avarice, luxury, and selfishness then prevailing
‘ amongst them, he could not by all his bribery have
‘ got them to agree to such a direct question. He
‘ therefore at first proposed to them only to give him
‘ the command of *Cisalpine Gaul*, with *Illyria* an-
‘ nexed, which by bribery, and by having insinuated
‘ himself into great favour with the people, he ob-
‘ tained; and by the same means he got the *Transal-*
‘ *pine Gaul* added to it. This gave him the command
‘ of a great army, and the people being blinded by his
‘ largesses and his successes, they continued him in that
‘ command, till he made his army so absolutely his
‘ own, that it established him in arbitrary power, and
‘ so effectually destroyed the liberties of the people,
‘ that they could never again be restored; for the short
‘ interval between his death and the establishment of
‘ his successor, *Augustus Cæsar*, was no free or regular
‘ government, but a continued series of usurpation,
‘ murder, and civil war. If the people of *Rome*, Sir,
‘ had foreseen the consequences of their favours to
‘ *Julius Cæsar*, they would certainly have refused grant-
‘ ing him so many; but they were so blinded by their
‘ corruption, that they did not consider the conse-
‘ quences. This destroyed irrecoverably that glorious
‘ republic, and this will destroy every republic, where
‘ any one man has wealth or power enough to corrupt
‘ a great number of the people.’

It is the common cant of the court-sycophants,
‘ The army has never yet enslaved you. The laws,
‘ which

‘ which you thought so dangerous when first enacted,
‘ have not ruined you. What do you fear from the
‘ government ?’ &c.

Now though we were to own that we are not yet ruined ; though we should go so far as to hope against hope, that the national debt, for instance, instead of going on increasng, will, by some unknown means, be reduced ; though we should grant the possibility of corruption’s falling into disgrace, instead of its spreading wider and wider, as it has done in all the states where it has to a great degree prevailed ; granting all this, and more, must we therefore say we are in a state of safety ? The army is composed of *Englishmen* ; the magistrates and peace-officers are *Englishmen*. There is a native generosity in the hearts of ninety-nine in every hundred *Englishmen*, of the middling and lower ranks of life, which prevents their making a violent or unjustifiable use of power. But are we therefore obliged to traitorous ministers, who bribe worthless parliaments to keep up armies, and enact laws, which our good-nature only prevents our applying to mischievous purposes against one another ? What should we think of those parents who gave their children leave to beat one another ? Should we justify the parents because the children, being of gentle tempers, had made no bad use of their liberty ? Should we not every day, and every hour, expect to hear of some bad consequence of such management ?

Suppose the *people* to have had as little humanity as their *governors*, what havock would not have been made by the smuggling act, the game acts, the intolerant acts, &c. !

The *French* King had an army, and consequently power to compel the parliament of *Paris* to register his edicts, long before he actually attempted it. When
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he did attempt it, he found he could do it. Now he has swept the parliament themselves away. Who can tell what a daring and flagitious ministry in *England*, with the advantages now in their hands, could effectuate to the prejudice of liberty, and what they may effectuate very suddenly?

Is this state of dependence upon the generosity of the individuals, who fill the throne and the seats round it, who compose the army, the magistracy, &c. fit for this great empire to continue in? Will the *British* people be contented to lie at mercy?

‘ Some persons, says lord *Bolingbroke*, are often calling
 ‘ upon and defying people to instance any one article of
 ‘ liberty, or security for liberty, which we once had, and
 ‘ do not still hold and enjoy. I desire leave to ask them,
 ‘ whether long parliaments are the same thing as having
 ‘ frequent elections?—Is the circumstance of having
 ‘ almost 200 members of the house of commons vested
 ‘ with offices or places under the crown, the same
 ‘ thing as having a law that would have excluded all
 ‘ persons who hold places from sitting there?—Is an
 ‘ army of above 17,000 men at the expence of 850,000*l.*
 ‘ *per Annum*, for the service of *Great Britain*, the same
 ‘ thing as an army of 7000 men at the expence of
 ‘ 350,000*l.* *per Annum* for *England*; and I will sup-
 ‘ pose there might be about 3000 men more for *Scot-*
 ‘ *land*?—Is the riot act, which establishes passive obe-
 ‘ dience and non-resistance by a law even in cases of
 ‘ the utmost extremity, the same thing as leaving the
 ‘ people at liberty to redress themselves, when they are
 ‘ grievously oppressed, and thereby oblige the prince in
 ‘ some measure to depend on their affections?’

‘ Upon

^a *Bolingbr. POLIT. TRACTS*, 295.

‘ Upon a moderate computation (says Mr. *Hume*^a),
 ‘ there are near three millions at the disposal of the
 ‘ crown. The civil list amounts to near a million;
 ‘ the collection of all taxes to another million; and
 ‘ the employments in the army and navy, together with
 ‘ ecclesiastical preferments, to above a third million.
 ‘ An enormous sum, and what may fairly be computed
 ‘ to be more than a thirtieth part of the whole income
 ‘ and labour of the kingdom. When we add to this
 ‘ immense property the increasing luxury of the nation,
 ‘ our proneness to corruption, together with the great
 ‘ power and prerogatives of the crown, and the com-
 ‘ mand of such numerous military forces, there is no
 ‘ one but must despair of being able, without extraor-
 ‘ dinary efforts, to support our free government much
 ‘ longer under all these disadvantages.’

Judge *Blackstone* says^b, ‘ The constitution of *England*
 ‘ had arrived to its full vigour, and the true balance
 ‘ between liberty and prerogative was happily esta-
 ‘ blished by law in the reign of *Charles II.*’ And that
 ‘ the people had as large a portion of real liberty as is
 ‘ consistent with a state of society, and sufficient power
 ‘ residing in their own hands, to assert and preserve
 ‘ that liberty, if invaded by the royal prerogative,’ is
 evident, he thinks, from the people’s effectually resist-
 ing *James II.* in his attempts to enslave them, and oblig-
 ing him to quit his enterprise and his throne together.
 Now we know, that since the days of *James II.* a great
 deal has been pretended to be done for *enlarging* and
strengthening liberty, and enabling the people to assert
 and preserve it. Judge *Blackstone* fills two large pages
 with only the heads of what has been done since the
 Revolution

^a *Hume*, i. 86.

^b *Blackst.* COMM. IV. 432.

Revolution for the advantage of public liberty, and of private justice ; as the bill of rights ; the toleration-act ; the act of settlement ; the union of the two kingdoms ; the confirming and exemplifying the doctrine of resistance ; establishing the authority of the laws, and maintenance of the constitution above the royal prerogative ; overthrowing the sovereign's dispensing power ; religious toleration [which however is still miserably defective] exclusion of many placemen from the house of commons [another improvement likewise very defective], and many others. So that in our times, the people ought to have much more power of redress in their own hands, than they had in those days. How is it then, that it is so common to hear the condition of our country given up as desperate ? Are we in a worse situation than in the days of *James II.* ?

If we be more corrupt than in the days of *James II.* if the court has more to give, and the members of the house of commons are more ready to receive, than in those days ; and if, besides, we have more to fear from the army than our fathers before the Revolution, we are in a worse situation for resisting tyranny than they were, and are only in a more eligible state, in as much as the character of the princes of the house of *Hanover* is less formidable to liberty than that of the *Stuarts*. This, then, is the slender thread upon which the freedom of the once illustrious *British* empire is suspended. Our liberties lie at the footstool of the throne, but our kings and ministers have hitherto been either too timid or too good to seize them.

Even the learned commentator himself, who shews no disposition to find fault without reason, finishes his encomium on the improvements which law and liberty have gained since the Revolution, with the alarming words which follow : ‘ Though these provisions have

‘ nominally, and, in appearance, reduced the strength
‘ of the executive power to a much lower ebb, than in
‘ the preceding period ; if, on the other hand, we
‘ throw into the opposite scale (what perhaps the immo-
‘ derate reduction of the ancient prerogative may have
‘ rendered in some degree necessary) the vast acquisition
‘ of force arising from the riot-act, and the annual ex-
‘ pence of a standing army ; and the vast acquisition
‘ of personal attachment, arising from the magnitude
‘ of the national debt, and the manner of levying those
‘ yearly millions that are appropriated to pay the in-
‘ terest ; we shall find that the crown has gradually and
‘ imperceptibly gained almost as much in influence as it
‘ has apparently lost in prerogative ^a.’

Upon this paragraph I cannot help making a few strictures. What may the learned judge mean by the *immoderate* reduction of the ancient prerogative ? Have not the *people* power to fix the prerogative of their kings where they please ? Is that immoderate, or in any respect wrong, which pleases the people ? If a king thinks his prerogative too much retrenched by his people, has he any thing to do but decline the crown, and leave it to one who will accept it with such limitations as shall please the people, who have a right to be pleased ?

Again, when the learned judge was summing up the disadvantages to liberty, which have arisen since the Revolution, how could he miss taking notice of the greatest, viz. The total loss of the parliament’s efficiency (the present always excepted) for resisting court influence, and obtaining for the people whatever laws and regulations they may think necessary for their safety ?

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^a *Blackst. COMM.* 1. 334, 5, 6. 412, 13, 16.

The difference between the condition of the *British* empire with an independent parliament, and with a parliament influenced, not to say *enslaved*, by a designing court, is so great, that it may be said to be the whole. The former to be, humanly speaking, absolute safety, and the latter certain ruin. How then could our learned commentator overlook the mountain, and fix his eye upon a set of molehills?

The court-sycophants, whose business it is to lull us asleep, are wont to sooth us by telling us, that no harm is yet come of the army, or the excise, or parliamentary corruption. Were this true, which is far from being the case, it would be nothing to the purpose; for so it might have been said at the beginning of almost every tyranny. No people ever, from free, became absolute slaves in one day, but the *Danes*.

Some among us are ever magnifying the great advantages we gained by the Revolution; thereby insinuating, that we do not want any farther improvements upon public liberty.

So our bishops, and other high-church-men, are always celebrating the great advantages which religion gained by the Reformation, in order to damp our pursuit of what (as has lately been made fully to appear) we still want to set us upon a foot tolerably favourable to truth, and liberty of conscience.

But without disparagement to the great and undeniable advantages we gained by the expulsion of the *Stuarts*, it must be owned, that the Revolution was but an imperfect redress of grievances.

Let us hear Lord *Perceval* on the subject:

‘The Revolution,’ says he in the House of Commons, *A. D.* 1744, ‘was brought about so suddenly, and in such a manner, that it is rather a wonder, that
‘ we

‘ we gained what we did, than that we gained no more.
 ‘ The Prince of *Orange* was in effect our King the
 ‘ moment that he landed ; backed with a great army,
 ‘ supported by men who, having called him in, could
 ‘ not quarrel with him without ruining themselves.
 ‘ It was too late to make terms with a Prince who was
 ‘ already possessed of the regal power, and who plainly
 ‘ shewed, that though he desired to be ruled by law,
 ‘ he still intended that the law should not bear much
 ‘ harder upon the crown during his reign, than it had
 ‘ done in former times^a.’

Whilst some false brethren among us sooth us to repose by telling us all is well, others on the contrary affect, as above observed, to conclude all endeavours vain for recovering a state so far gone as the *British* in luxury and corruption. Thus we find a pretence, of one kind or another, for deserting our country.

States, they cry, have their old age, decay, and death, as individuals. And when the fatal hour is come, the efforts of the physician, and of the patriot, prove equally ineffectual.

We know, that the health and life of the individual are limited within the boundaries of seventy or eighty years ; that a few, a very few, exceed those limits ; and that no individual since the deluge has reached two hundred. But the durations of states regulate by no laws of nature ; nor can my inestimable friend Dr. *Price* construct any tables of the physical probabilities of the continuance of kingdoms or commonwealths. His sagacity can reach no farther than to affirm, that any country will continue free, while it deserves to be free, and contrariwise.

The

^a *Alm. DEB. COM. I. 273.*

The affairs of nations seldom continue long in the same condition. When tyranny goes beyond a certain pitch, it sometimes draws upon itself the united vengeance of the people, which crushes it. When liberty degenerates into lawless corruption of manners, a nation becomes the prey of the ambition and tyranny either of an overgrown subject, or of a foreign invader. This unsteadiness of human affairs is caused either by a constitution originally deficient, and ill-balanced, or by a deviation from the intent and spirit of a constitution originally good.

Mr. *Hume* is of opinion, that the *British* constitution must come to an exit; and thinks it is more to be desired, that it should end in absolute monarchy, than in such a republican scheme as that set up by *Cromwell*, which he thinks the best we have to expect in case of a dissolution of the present^a.

The constitution of the Republic of *Venice* is represented by some historians as having continued free, with very little variation, excepting some of the improving sort, these thirteen hundred years. Others differ with respect to the period.

The means which have kept the *Venetians* so long free, in spite of ambition within, and the attacks of potent neighbours, are alleged by historians to be, 1. Their attachment to the original principles on which the Republic was established. 2. Their wisdom in keeping clear of quarrels among other States. 3. The senators being obliged to rise gradually through all stations, so that they never come to the management ignorant of business. 4. The impossibility of coming to power in any indirect manner. 5. The total exclusion of priests from all stations of power and trust. 6. The

^a Ess. i. 89.

6. The judicious distribution of the public revenues, and impossibility of embezzling them. 7. Punishing strictly, but always according to clear and explicit laws, excepting in the case of information of treason against the state, on which occasion they break through law, justice, and humanity. 8. The dreadful danger of the least attempt toward a change in the state. 9. Punishing capitally every degree of corruption; even the ambassadors from foreign countries being obliged to give a strict account of all monies, or presents, received by them. 10. Profound secrecy of all the Republic's measures, and severe punishments inflicted on the betrayers. 11. The strict limitation of the doge, senate, and all persons in power, so that they can do nothing, but what is warranted by law and constitution. 12. Voting by ballot. 13. Above all, their invariable plan of education, which plants at the bottom of every *Venetian* heart, from the highest to the lowest, an insuperable love of their country^a.

The Abbé *S. Pierre* thinks, the opinion, That states, like individuals, are naturally perishable, and that the *greatness* of a state naturally brings on its ruin, is a vulgar error. The permanency of states depends, he thinks, on their original good constitution, and subsequent faithful administration^b. To which I will add, that most depends on an original sound constitution, securing effectually the exclusion of corruption. For, as to administration, most kings will be tyrants, and the greatest part of ministers corruptors, if the people will suffer them.

The excellent *Davenant* (ii. 294.) writes on this subject as follows:

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Men,

^a MOD. UNIV. HIST. XXVII. 5.

^b OEUVR. POLIT. IX. 12.

‘ Men, when they are worn out with diseases, aged,
 ‘ crazy, and when besides they have the *mala stamina*
 ‘ *vitæ*, may be patched up for awhile, but they cannot
 ‘ hold out long ; for life, though it is shortened by ir-
 ‘ regularities, is not to be extended by any care beyond
 ‘ such a period. But it is not so with the body po-
 ‘ litic ; by wisdom and conduct that is to be made
 ‘ long lived, if not immortal ; its distempers are to be
 ‘ cured, nay its very youth is to be renewed, and a
 ‘ mixed government grows young and healthy again,
 ‘ whenever it returns to the principles upon which it
 ‘ was first founded.’

‘ So great, says Mr. *Hume*, is the force of laws, and of
 ‘ particular forms of government, and so little dependence
 ‘ have they on the humours and tempers of men, that
 ‘ consequences almost as general and certain may be de-
 ‘ duced from them, on most occasions, as any which
 ‘ the mathematical sciences afford us^a.’ And again,
 ‘ Legislators ought not to trust the future government
 ‘ of a state entirely to chance ; but ought to provide a
 ‘ system of laws to regulate the administration of public
 ‘ affairs to the latest posterity. Effects will always
 ‘ correspond to causes ; and wise regulations in a com-
 ‘ monwealth are the most valuable legacy that can be
 ‘ left to future ages. In the smallest court, or office,
 ‘ the stated forms and methods in which business must
 ‘ be conducted, are found to be a considerable check
 ‘ on the natural depravity of mankind : Why should
 ‘ not the case be the same in public affairs ? Can we
 ‘ ascribe the stability of the *Venetian* government,
 ‘ through so many ages, to any thing but its form ?
 ‘ And is it not easy to point out those defects in the
 ‘ original constitution, which produced the tumults in
 ‘ *Athens*

^a *Hume*, POLIT. ESS. IV. p. 27.

* *Athens* and *Rome*, and ended in the ruin of those
 * Republics^a ?”

Whilst a people continue capable of liberty, the period of their ruin will never approach.

It is therefore more melancholy to see public virtue lost in a people, where the people, as in *England*, have power in government, than to see a tyrant on the throne, with the people's liberties under his feet. He may reform. He may die. The fury of a brave and incensed people may rise, like a whirlwind, and scatter him and his enslaving crew like chaff. But the manners of ten millions, when they come to be so degenerate as to invite slavery, are not easily to be corrected; and if not corrected—my blood freezes at the thought of what must follow.

Nothing can be imagined more dastardly than the disposition of those men who despair of their country. They make me think, I see a graceless son, after supporting a little while the languid head of his sick mother, tosses her back upon the bed, and cry, ‘ she will die, and why then should I give myself any trouble about her ?’

Very different was the spirit of young *Scipio*.

After the battle of *Cannæ*, which proved so fatal to *Rome*, when several young officers in his presence talked of the state of affairs as desperate, and seemed inclinable to give all up, and abandon *Italy*, that young hero drew his sword, and solemnly vowing never to forsake his country, forced all the others, by threats of immediate death, in case of refusal, to enter into the same solemn engagement.

When the great and good *Scaurus* was, by the contests between *Cæpio* and *Mallius*, betrayed into the

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hands

^a *Hume*, POLIT. ESS. IV. 37.

hands of the *Gauls*, and saw one hundred-and-twenty-thousand *Romans* cut in pieces, with the Consul's two sons, he did not even then despair of his country. Being consulted by the *Gauls* about a descent into *Italy*, which they were then meditating, he advised them against it, telling them, that they would find the *Romans* invincible, though they had lately been, through an unhappy difference among their commanders, unfortunate. His bold answer so provoked one of the *Gaulish* generals, that the barbarian ran at him, and stabbed him on the spot^a.

Plutarch says, *Cato's* virtue would have saved *Rome*, if the gods had not decreed her fall. The truth of the matter is, the gods never decree that a state shall be enslaved, so long as there remains in it a competent number of *Catos* to preserve its liberties; one is not sufficient. For, as *Mr. Addison* says,

———What can *Cato* do
Against a world, a base degenerate world,
Which courts the yoke, and bows the neck to *Cæsar*?

In *Sully's* Memoirs we find that *Henry IV.* of *France* turned his whole application to every thing that might be useful, or even convenient to his kingdom, without suffering things that happened out of it to pass unobserved by him, as soon as he had put an end to the civil wars of *France*, and had concluded a peace with *Spain* at *Vercins*. Is there a man, either prince or subject, who can read, without the most elevated and the most tender sentiments, the language he held to *Sully* at this time, when he thought himself dying of a great illness he had at *Monceaux*? ‘My friend,’ said he, ‘I have no fear of death. You who have seen me expose my life so often when I might so easily have kept out
‘ of

^a ANT. UNIV. HIST. VOL. XII. p. 499.

‘ of danger, know this better than any man. But I
 ‘ must confess that I am unwilling to die, before I
 ‘ have raised this kingdom to the splendour I have pro-
 ‘ posed to myself; and before I have shewn my people
 ‘ that I love them like my children, by discharging
 ‘ them from a part of the taxes that have been laid on
 ‘ them, and by governing them with gentleness.’

‘ The state of *France* (says *Bolingbroke* on the passage)
 ‘ was then even worse than the state of *Great Britain* is
 ‘ now: the debts as heavy, many of the provinces en-
 ‘ tirely exhausted, and none of them in a condition of
 ‘ bearing any new imposition. The standing revenues
 ‘ brought into the king’s coffers no more than thirty
 ‘ millions, though an hundred and fifty millions were
 ‘ raised on the people; so great were the abuses of that
 ‘ government in raising of money: and they were not
 ‘ less in the dispensation of it. The whole scheme of
 ‘ the administration was a scheme of fraud, and all who
 ‘ served cheated the public from the highest offices down
 ‘ to the lowest; from the commissioners of the treasury
 ‘ down to the under farmers and the under treasurers.
 ‘ *Sully* beheld this state of things when he came to have
 ‘ the sole superintendency of affairs with horror. He
 ‘ was ready to despair; but he did not despair. Zeal
 ‘ for his master, zeal for his country, and this very
 ‘ state seemingly so desperate, animated his endeavours;
 ‘ and the noblest thought that ever entered into the
 ‘ mind of a minister took possession of his. He resolved
 ‘ to make, and he made the reformation of abuses, the
 ‘ reduction of expences, and frugal management, a
 ‘ sinking fund for the payment of national debts, and
 ‘ the sufficient fund for all the great things he intended
 ‘ to do without overcharging the people. He succeeded
 ‘ in all. The people were immediately eased, trade
 ‘ revived, the king’s coffers were filled, a maritime

‘ power was created, and every thing necessary was
 ‘ prepared to put the nation in a condition of execut-
 ‘ ing great designs, whenever great conjunctures should
 ‘ offer themselves. Such was the effect of twelve years
 ‘ of wise and honest administration.’

John Duke of Braganza was the most unlikely man in the world to produce a revolution. Gentle, meek, peaceable, fond of pleasure and company. But he was esteemed and trusted by the nobles; of which he was the most considerable, and related to the family who were competitors against *Philip* for the crown of *Portugal*. And the people (whose patience is only not boundless) were irritated beyond all pitch by the wanton tyranny of their *Spanish* masters, who seemed to intend by all possible means to enrage, and force them, if any cruelty would force them, to shake off the yoke^a. The unanimity was so great, when once the people found a proper person to head them, that the whole business was done in a day. The shops in *Lisbon* were shut in the morning; but they were opened again in the afternoon. The Duke of *Braganza* was crowned king of *Portugal*, and the people declared free from the *Spanish* yoke; and the Spaniards, knowing, that there were then in *Portugal* 210,000 fighting men, did not attempt to dethrone their deliverer again^b.

The reformations made in the corrupt city of *Rome* by *Vespasian*, shew that governments, if they were in earnest, could do great things even in a corrupt state^c.

Andros was a tyrannical governor of *New England*. The people attempted to get rid of him. *James II.* liked tyrants, therefore refused the repeated requests of Sir
William

^a MOD. UNIV. HIST. XXII. 280.

^b Ibid. 282.

^c ANT. UNIV. HIST. XV. 23.

William Phipps against *Andros*. At last the principal men of *Boston* got a report spread at the north end of the town of *Boston*, that the people at the south end were in arms, and the same at the south end that those of the north were risen. *Andros's* creatures were immediately secured in jail. The governor flies to the east. The leading men send him a letter, desiring him to resign immediately, else they could not answer for the consequences. He takes their advice. The principal inhabitants call a general assembly, and, without consent of the governor, resumed their charter, which King *William* confirms. Thus the Revolution of *Old England* was attended with one in *New England*^a.

Farther, in favour of the proposed restoration, and against despairing of our country, please to observe, my good countrymen, that every tyranny is founded in wickedness; that it has in itself the seeds of its own destruction, and the curse of heaven hanging over it; and that it wants only a shock from the heavy hand of the people, to bring it down in ruins on the heads of its supporters.

Mr. *Sandys*, in his speech in favour of a place bill, *A. D.* 1739, observes, ‘ that a good bill, or motion, ‘ once proposed in parliament, and entered on the ‘ journals, can never die, unless our constitution be absolutely and irrecoverably destroyed; but will, by its ‘ own merits, at last force its way through the houses ^b.’

Lord Keeper *Finch* says, Neither *Romans*, *Saxons*, *Danes* nor *Normans*, who conquered the land of *England*, could conquer its laws or constitution^c.

I would therefore hope, even if need were, against hope, that, though it will soon, it is not yet too late,

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^a MOD. UNIV. HIST. XXXIX. 310.

^b DEB. COM. XI. 202.

^c PARL. HIST. IX. 59.

to retrieve all, and to set things on a foot as much surer than what the Revolution left them upon, as the Revolution-settlement exceeded the times of *James II.*

There are lengths, which our kings and ministers would be afraid to go; which shews, that they stand in some fear of the people. They would not venture upon authorising a massacre, nor upon setting up edicts for laws, nor upon taxing the subjects without authority of parliament; though they have come mighty near to such proceedings.

Whenever any reformation or improvement is proposed, the answer of some is, 'This is not a proper time.' It was not a proper time to disband the army, while there was a Pretender to the throne; nor is it a proper time now that there is none. It was not proper in war, nor is it now proper in peace, though our kings, that is our ministers, tell us in their speeches, that the peace will be lasting. It was not a proper time to abolish articles, subscriptions, and test-acts, when bigotry to those absurdities prevailed, and the cry, 'that the church was in danger,' was in the mouths of the clergy, and priest-led part of the laity. Nor is it now a proper time, when no body, besides the half-popish part of the bishops and clergy, care one farthing about such matters.

The courtiers pretend, that it is dangerous to alter any thing. *Quietum non movere*, they say, is a good maxim. Did they observe this rule, when they bethought themselves of enraging the colonists, by taxing them, without giving them representation? When they extended the excise laws? When they laid restraints upon marriage and population?

Antiquity is no plea. If a thing is bad, the longer it has done harm the worse, and the sooner abolished
the

the better. Establishment by law is no plea. They who make laws can repeal them ^a.

Our modern court-sycophants are many years too late in applying their maxims of *Quietum non movere, nolumus mutari leges Angliæ*, and the like. These rules are good, while a kingdom or commonwealth stands firm upon its original foundation. But when the constitution is unhinged, when the first principles on which a state was established, are annihilated, when the only security of the people's liberties is turned against the people, to insist, that nothing shall be altered, is to insist, that whatever is gone into disorder, shall remain in disorder. The time to urge those maxims was, when the first disorders were introduced, when bribes, places, and pensions were first given to members of parliament.

Montesquieu observes, that it was constitutional among the ancient *Cretans* to correct the abuses which crept into their government, by the people's rising in arms, and forcing their corrupt magistrates to resign. The *Polish* constitution admits the same kind of remedy. But such a cure seems worse than the disease. He says, the ancient *Cretans* were so strongly tinctured with love for their country, that they were thereby restrained from carrying redress too far ^b.

The Prince of *Orange* was not King of *England*, when he ordered letters to be written to the protestant lords, spiritual and temporal, to meet him in parliament, and to counties, cities, and towns to send members. There never were seventy-six citizens to represent *London*, but in the convention-parliament. Yet did that parliament, so irregular in its construction, bring

^a PARL. HIST. IX. 367.

^b L'ESPRIT DES LOIX, I. 190.

bring about for us the greatest thing that ever was done for this island, I mean the Revolution. Let no man, therefore, object to a salutary proposal, that is new, unusual, or unheard of.

Machiavel says, that to render a commonwealth long lived, it is necessary to correct it often, and reduce it towards its first principles, which is to be done by punishments and examples. If the wild proceedings of rash and giddy ministers are now and then looked into and animadverted upon, it creates fear and a reverence to the laws; and in great men strong examples of clean hands, self-denial, personal temperance, and care of the public treasure, do awaken the virtue of others, and revive these seeds of goodness which lie hid in the hearts of most people, and would spring out, but that they are choked up for a time by avarice and ambition^a.

‘ Those commonwealths have been most durable,
 ‘ which have oftenest reformed, and re-composed them-
 ‘ selves according to their first institution: for by this
 ‘ means they repair the breaches, and counter-work the
 ‘ natural effects of time^b.’

It was enacted in the time of *Henry VII.* that in case of a revolution in the kingdom, no man should be questioned for his loyalty to the king for the time being^c. This shews, that the people of those days had no idea of such a stubborn immutability as we often hear of in our times, admitting no reformation of any thing, however universally allowed to be wrong.

To restore what is, through lapse of time, degenerated, is not altering the constitution.

To

^a *Daven.* II. 72.

^b *Pym's SPEECH IN PARL.* 4 *Car.* I. *A. D.* 1628:
PARL. HIST. VIII. 173.

^c *Hume, HIST. STUARTS,* II. 151.

To alter the *British* constitution would be, to change the form of government from king, lords, and commons, into somewhat else, as a republic. So the constitution was wholly changed under *Edward I.* by the barons, who oblige the king to give them and the bishops a commission to elect twelve persons, whose power should be supreme in legislation and administration^a. This was throwing out all the three estates at once.

To propose to restore parliaments to their original period of one year; to attempt to obtain a more adequate representation, and the effectual exclusion of placemen from the house of commons, is certainly not proposing to alter the constitution, because it is not proposing to abolish either king, lords, or commons; but to preserve and re-establish them, on their original and proper foot.

It is the common cry of the friends of arbitrary power, A prince is in duty bound to deliver down to his posterity the prerogative undiminished, as it was delivered to him by his ancestors. No. It is the duty of a prince to consult at all adventures, the greatest good of his people, his *children*; and if the diminution of his prerogative will increase the happiness of his people, the superfluous power of one is certainly to yield to the happiness of millions. Some men of slavish principles affect a mighty anxiety about the danger of innovations. To depart, they say, from the ancient constitution, is opening a door for endless faction and dissension. Not, if the majority of the society are for the reformation proposed. Nor has any power on earth a right to hinder the majority of a people from making, in their form of government, what innovations they please.

It

^a *Hume*, HIST. II. 130.

It is the constant speech of the court dependents, when mention is made of redressing any thing, that by lapse of time is got into disorder, 'The king is bound by his coronation oath, not to alter any thing,' &c. But, in one particular, if not more, the oath itself speaks a contrary language. For the king promises, that he will 'preserve to the bishops all their rights and 'privileges which do, or *shall* by law appertain to them.' So that if it should happen, that some future parliament should be wiser than any of the past, and should think three thousand pounds a year might be better bestowed than upon a bishop, and should legally strike off two of the three, the king will then be obliged to preserve to him only one thousand a year.

One of the questions put to *Edward II.* at his coronation was, Sir, Will you govern according to the laws and customs, '*quas vulgus elegerit*,' in the old French, *les loyes et customes les quieles la communaute aura eslu*, and this was the form after him. *Prynne* thinks *elegerit* and *aura eslu*, are in sense as well as sound, the future tense, and that therefore the kings promised to govern according to the laws and customs established, and *to be* established. But *Brady* thinks *elegerit*, and *aura eslu* are to be understood as *elegit*, and *a eslu*; which is strange grammar^a.

Sidney englishes *quas vulgus elegerit*, such laws as the people *shall* propose^b.

By the treaty of *Troyes* after the battle of *Azincourt*, which was regularly ratified and confirmed, and no opposition made to it either by *England* or *France*, the two kingdoms were for ever unrepealably united under *Henry V.* Where is now the unrepealable union between *England* and *France*?

Some

^a *Brady*, 1. GLOSS. 36.

^b *Dis. Gov.* 458.

Some of our ancient kings swore, at their coronation, that they would ‘*abrogate* and disannul all evil laws ‘and wrongful *customs*, and make, keep, and sincerely ‘maintain those that were good and laudable.’ The archbishop charged the king in God’s behalf, ‘Not to ‘presume to take upon him this dignity, unless he resolved to keep inviolably the vows and oaths he had ‘then made;’ about the end of the 12th century^a.

Oaths were heaped on oaths to bind the nobility of *England*, never to violate any of the constitutions of *Richard II*^b. Where are his constitutions now? He and his constitutions were sent a packing a very short time after they were established by these oaths.

An act 11 and 21 *Richard II*. unrepealable by any future parliament. Such acts, says Bishop *Williams*, are *felo de se*, because no parliament can preclude the power of a future^c.

The exclusion bill was a greater change than the restoration of independency to parliament. So was the reformation from popery, the dissolution under *Henry VIII*, the changes under and after *Charles I*; the Revolution in 1688, &c. But our forefathers had more spirit than we^d.

Magna Charta says, ‘*Distringent et gravabunt nos,*’ &c. The barons complaining, and failing of redress, shall lawfully distress and aggrieve the king all manner of ways, as by taking his castles, lands, possessions, &c. till redress is granted. After the Restoration comes the corporation-act, and declares all resistance unlawful. The same doctrine is preached in the act of attainder, and militia-acts. Not thirty years after this comes

^a *Rap.* I. 245.

^b *PARL. HIST.* I. 520.

^c *Ibid.* IX. 354.

DEB. COMM. I. 435.

comes the Revolution, and abolishes the whole system of passive obedience and non-resistance; sends the whole royal family a packing, and brings in the house of *Nassau*. The liberty of the press was taken away 13 *Car. II.* The liberty of petitioning was abolished the same year; and then the corporation charters taken away. All these were restored by the bill of rights. In short, as Mr. *Hume* says ^a, the history of *England* is little else than a history of reversals, every age overthrowing what was done by the former.

That author therefore ^b thinks, there was somewhat peculiarly absurd in one clause of the test, which was framed under *Charles II.* and required swearing, that they would not alter the government either in church or state; since all human institutions, being imperfect, must, from time to time, want amendments; and amendments are alterations.

How did the *Newcastle* ministry twenty years ago, rage against the salutary remonstrances of the friends of mankind on the destructive cheapness of gin. The duty, they said, (which amounted to the hideous sum of near four hundred thousand pounds) was appropriated as part of ways and means. Experience shews us, that the nation can subsist, though the people do not now, as in those times, destroy themselves, by thousands and myriads, with that liquid fire.

Great things are often brought about very easily, as the deliverance of *Athens* from the thirty tyrants by *Thrasybulus*, of the *Sicyonians* by *Aratus*, and of *England* at the Revolution, all with hardly the loss of a drop of blood.

Philip II.'s ordering Count *Egmont* to be beheaded at *Brussels*, *A. D.* 1568, enraged the people of the Low Countries

^a HIST. II. 264.

^b HIST. STUARTS, II. 243.

Countries to madness, and determined them never to submit more to the *Spanish* yoke, says *Strada*^a.

It is not easy to understand how so clear-headed a man as judge *Blackstone* should write, that the union must be dissolved, before any reformation can be made either in the church of *England* or *Scotland*, because the king has sworn to maintain both churches. Is it possible, that the judge should imagine, a coronation-oath binds a king to maintain any establishment whatever, *at all adventures*, even though it be found, by consent of the *people*, necessary, or convenient, to abolish it? A coronation-oath only binds a king not to alter any thing fundamental, of his *own authority*, and contrary to the will of the people. And it seems inconceivable, that the learned and able judge should imagine, that the meaning of a coronation-oath is, to fix upon the people all the present establishments, however inconvenient the change of circumstances in after-times may render them; and to make all improvements and re-formations impossible. Suppose every king, from the conquest to our times, to have understood his coronation-oath in this sense. We must have been now no forwarder in political improvements, than we were 700 years ago. It is wasting words to expose such absurdity.

‘It is really pleasant,’ says Lord *Sandys*, ‘to hear some
 ‘lords talk of innovations in our constitution. For God’s
 ‘sake my lords what are the laws we pass yearly? Is not
 ‘every public law an innovation in our constitution? Do
 ‘we not thereby add to, allow, or abridge some of the
 ‘powers or prerogatives of the crown? If we had not
 ‘made many laws for the purpose, could it be said we
 ‘should now have any liberty left? Criminals are every
 ‘day

‘ day inventing new crimes, or new methods for evading
 ‘ the laws that have been made for punishing or pre-
 ‘ venting them, which obliges us almost every year to
 ‘ pass new laws against them : by these the power of the
 ‘ crown is generally enlarged. Ministers again are al-
 ‘ most always contriving new methods for extending the
 ‘ prerogatives of the crown, to the oppression of the peo-
 ‘ ple, which obliges us to be often contriving new laws
 ‘ for restraining them : by these the power of the crown
 ‘ I shall grant is lessened. What then ? Is not our
 ‘ government a limited monarchy ? Is not the power
 ‘ of the crown limited by our constitutions and laws ?
 ‘ If by experience it be found that the power of the
 ‘ crown is not in some cases sufficiently limited by the
 ‘ laws in being, must not we, ought we not, to con-
 ‘ trive new laws for that purpose ? Some lords may, if
 ‘ they please, call this an encroachment upon the prero-
 ‘ gatives of the crown : I shall not fall out with them
 ‘ about the term, because I think the prerogative may,
 ‘ and ought to be, restrained as often as experience
 ‘ convinces us that it is turned to a wrong use ^a.’

The horror which some among us have against what
 they call an innovation, resembles that of the ancient
Poles, when their king *Stephen* having conquered *Li-
 vonia*, a part of the *Russian* empire, proposed to new
 model the government of the country, and among other
 particulars, thought to change an accustomed punish-
 ment of whipping with rods, till the blood came, for
 one more humane. The wretched peasants threw
 themselves at his feet, and begged, that nothing might
 be altered ; for that innovations are dangerous ^b.

Men of timid natures are startled at every proposed
 alteration, however likely to be of advantage. Lord
Nottingham,

^a Lord *Sandys*, 1742. DEB. PEERS, VIII. 519.

MO D. UNIV. HIST. XXXV. 261.

Nottingham, when the union was in agitation, boggled at the change of style from *England* to *Great Britain*, alleging, that it was such an innovation as would totally subvert all the laws of *England*. He therefore moved, that the opinion of the judges should be asked. They very sensibly answered, that they did not see how a word should alter, or hurt the constitution, whose laws must remain the same after the union, as before^a. Lord *Nottingham* concluded, however, that the union must utterly ruin all^b.

Lord *Haversham* was against the union because of the diversity of religion, laws, and government between the two kingdoms. The united kingdom of *Britain*, he said, would be like *Nebuchadnezzar's* image, part iron, part clay^c.

So wise a man as *Cicero* ridiculed *Cæsar* for proposing to reform the calendar^d.

It is chiefly weakness, or laziness, that puts princes and statesmen upon declining to redress what is amiss, on pretence of its being impracticable. If *Lycurgus* could persuade the *Spartans* to give up their property, and agree to his levelling scheme, what can be called impossible to an able and willing prince, or statesman?

That illustrious legislator altered the whole national character of the *Spartans*. Why might not a genius in politics do the same in *England*? It will perhaps be answered, *Sparta* was but a county, compared with *England*. Let us then see a county of *England* (the county of *Middlesex*, for instance, which is but a small one) as much reformed as *Sparta* was by *Lycurgus*. Have we no person in the proper station public-spirited enough to make the attempt? Printing, good roads,

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and

^a DEB. PEERS, II. 169.^b Ibid. 176.^c Ibid. 170.^d ANT. UNIV. HIST. XIII. 257.

and post-chaifes make it as easy to communicate any thing to the whole people of *England*, as formerly to those of *Sparta*.

All schemes are not romantic, which are called so, when first started. For all improvements are objected to at first. How many rebuffs did *Columbus* meet with, in his attempt to discover *America*? Men, therefore, of courage and perseverance are of inestimable consequence to mankind. How few would have gone through what he did? And how meanly was he rewarded for doing mankind so prodigious a service! *America* ought to have been called after him; not after *Americus Vesputius*; for the latter went out six years after the former.

‘Whatever is, (says *Pope*) is right.’ Whatever is law, is just. Whatever is creed, is true. Whatever is in the state, is constitutional.

The worldly ecclesiastic cries, ‘no innovations (re-formations he means, and reformatations he dreads) in the church. They will produce disturbances.’ He is pretty sure of this fact: for he intends to produce disturbance by opposing every salutary proposal. Yet we know, that christianity was an innovation upon heathenism, and the protestant religion upon popery. The reformers of states and churches, the deliverers of mankind from tyranny and bigotry, the friends of human nature, the prime benefactors of our world, thought it worth while to risk a temporary disturbance for a lasting advantage.

There is as much difference between proper liberty, and anarchy, as between the state of things at *Athens* or *Rome*, in the best times of those republics, and that which *Wat Tyler* and *Jack Straw*, intended to have introduced into *England*^a; which was a total demolition

^a *Brady*, III. 349.

tion of all subordination, and all rule; so that every man was to be detached from every man, and all legislation, and all obedience, at an end. *Wat* and *Jack* carried their scheme of liberty and equality to an extravagant pitch on one side, and the exorbitant power of one, or a few, which we commonly see in monarchical governments, carries government and subordination beyond pitch on the other. The legislative and executive power diffused among several hands, in such a manner, as to keep up a proper balance, and sufficient restraint on every person possessed of power, that he may not be able (for, such is the nature of man, he will certainly be willing) to carry it on to tyranny;—this only can be called just government, safe for the people, and sufficient for the rulers. And surely, it is pity, my good countrymen, that mere inactivity and timidity should deprive you of this great advantage.

It is the common cry of the courtiers, look back to the times of *Henry VIII.* and his bloody daughter, *Mary*; and be thankful for the liberty you enjoy. But the friends of liberty ought to call upon the people, to look back to those days of darkness and cruelty, that they may learn to dread slavery more than death, and to keep a watchful eye upon the first approaches toward it.

‘One rash law, says *Mr. Gordon*^b, may overturn our country and constitution at once, and cancel all law and property for ever.’

Rome (says the author of *GRAND. ET DECAD. DES ROM.* p. 99.) was so constituted, that it had in itself the means of correcting its own abuses. The *Carthaginians* perished, because they could not bear the hand

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^b *Cato's LETTERS*, III. 291.

of even *Hannibal* himself to reform them. The *Athenians* sunk, because their errors were so pleasing to them, that they could not find in their hearts to quit them. The *Italian* republics can only boast the long continuance of their errors. They have neither strength nor liberty. The government of *England* (says he) is such, that there is a set of examiners [the parliament] who are always attentive to abuses, and the mistakes they fall into are seldom of any continuance, and are often useful. [This would be the happy case of *England*, were our parliaments uncorrupt.]

I hope therefore, my good countrymen, you will not let yourselves be discouraged from using the proper means for restoring the constitution, by such frivolous objections as these; and that you will remember, that restoration is not alteration, and that antiquity is a reason for removing abuses, not for keeping them up.

As, on one hand, it is absolutely necessary, that a due subordination be kept up in states and kingdoms, that the people be willing to regulate their conduct according to the laws, which themselves, or their uninfluenced representatives have framed; so on the other, nothing can be conceived more base and despicable, than a voluntary submission to slavery. To stand in fear of a worm like myself! What can be imagined more dastardly and spiritless? Were indeed an archangel, or other being of a superior nature, to require of us implicit obedience to all his dictates, it might be said, there is somewhat decently modest and suitable to our inferior station, in our yielding to so great, so wise, and so good a master. But when we consider the character of most kings, and most ministers; when we view them and their actions in the light in which they stand in the faithful page of history, their flatterers and their slanderers alike silent, it is then that we are filled with indignation

indignation at the dastardly spirits, who sat still, and suffered a handful of men of contemptible abilities and odious characters, to gain so shameful an ascendancy over them.

Let us, my good countrymen, act a more manly part, and avoid the disgrace, which we see come upon those, who support, or submit, to the impotency of a set of tyrants, whose power owes its existence to the cowardice, or the corruption of the people.

Tyrants, says *Aristotle*^a, do what they can to debase the spirit of the subjects. For no mean-spirited man rises against tyranny, or promotes redress of grievances. Εἰς δὲ ὧς εἰπεῖν, κ. τ. λ.

Octavius makes a feint to resign his power. Is prevented by the worthless senators, who had rendered themselves so obnoxious to the people, that they dreaded the loss of his protection against their injured country^b.

Cowardice became common in the latter times of the *Romans* when the spirit of liberty was gone. Defeats and losses were the consequence. *Domitian*, the emperor, agreed to pay the obscure *Dacians* a tribute, to prevent their attacking the empire^c.

It is probable, that if the *Romans* had been, by means of printing, then unknown, accustomed to read the history of the free and heroic times of their own country, they would not have suffered their precious liberties to have been wrested from them, or would have been animated by the example of their illustrious ancestors, to rise and recover them. Instead of which, the execrable senators passed an edict, exempting *Augustus* from all submission to the laws of his country^d.

X 3 A melancholy

^a POLIT. V. II.

^b ANT. UNIV. HIST. XIII. 486.

^c Ibid. XIX. 493.

^d Ibid. XIII. 496.

‘ A melancholy consideration it is, that, from the
 ‘ very nature of things, arbitrary and despotic forms
 ‘ of government tend to perpetuate themselves by
 ‘ enervating the mind ; whereas free forms of govern-
 ‘ ment, if not carefully watched over and cherished,
 ‘ tend to destroy themselves by introducing riches,
 ‘ luxury, vice, a want of due subordination, and in
 ‘ consequence a general corruption of manners ^a.’

Nations lose their liberties, because a single tyrant,
 at the head of a compacted body of slaves, acts against
 an innumerable, divided, incoherent, jarring mul-
 titude.

Does not this shew the necessity of dividing power,
 and not trusting too great a force, or too much influ-
 ence, in one or a few hands ?

Surely the people ought to have at least as good a
 chance for preserving their liberties, as the leviathans
 of power for robbing them of them.

Have mankind constituted their governments upon
 this obvious principle ? Have they not, on the con-
 trary, voluntarily, and with their eyes (if eyes they
 had) open, thrown all the advantage against themselves
 into the hands of kings and priests ? Even when the
 friends of liberty have gained considerable advantages,
 how easily do they lose those advantages ? Such is the
 laziness and timidity of the species.

‘ Thus a confederacy [the protestant] lately so pow-
 ‘ erful as to shake the imperial throne, fell to pieces,
 ‘ and was dissolved in the space of a few weeks ^b.’

Mr. *Clem. Coke*, in the time of *Charles I.* said in the
 house, ‘ It was better for the subjects to die by the
 ‘ hands of a foreign enemy, than to suffer at home ^c.’

There

^a *King's Ess. ENGL. CONST.* 193.

^b *Robertson's CHARLES V.* III. 108.

^c *WHITEL. MEM.* 3.

There is undoubtedly somewhat very abject in a people's suffering themselves to be cheated out of their liberties by a handful of the most worthless men in the country, a few ministers. A foreign power may invade a state with a superior force, which will oblige the latter to yield, and no disgrace to their courage or conduct. But a nation has almost every natural advantage against its own court; many millions against a few hundreds. And yet we see that the hundreds always prevail against the millions. The reason is, generally, that the court is a junto closely compacted, and acting in concert,

(—— Devil with devil damn'd

Firm concord holds.——)

MILT.

while the people are a rope of sand. So that instead of exclaiming on the 'danger of embarrassing government, and the necessity of strengthening the hands of government, &c.' the eternal cant of the tools of power, the friends of mankind will advise the strengthening the hands of the *people*, as all history, and every day's experience shews us, that government is too strong for the people.

The people can never be too jealous of their liberties. Power is of an elastic nature, ever extending itself and encroaching on the liberties of the subjects. And it has accordingly, in most ages and nations, overwhelmed them. The *inertia* of the people is the opportunity of the government. And the people have ever been too inactive in their own defence; which is incomparably the more dangerous error of the two. For if the people secure the power in their own hands, their dethroning a king, oversetting a government, or even massacring a court, with all its connexions (though such scenes revolt humanity) these are only temporary horrors, thunderstorms which soon clear off;

off; and the people restore the serenity of a better state of things. Whereas tyranny is a permanent evil, distressing and debasing the human species from generation to generation, and deluging the world in a never ebbing sea of blood.

It is difficult to rouse the people to an apprehension of danger. And if, headed by a spirit of an unusual boldness, they do rise like a whirlwind, and sweep away the combination against their liberties; they often, by trusting power too far or too long in the hands of their deliverers, give them the hint to erect themselves, like *Cromwell* and others, into tyrants, and to rivet on the unhappy people the very fetters they had just before knocked off. But desperate diseases require desperate remedies.

A vote of credit given a king of *Spain*, suggested to him, with the help of the d——l, the inspirer of all such thoughts, that he had no occasion to depend on the cortes, or parliaments, for supplies. This ruined the *Spanish* liberties.

As every instance of timidity which has given tyranny an opportunity of seizing the liberties of a people, reflects disgrace on that people, so every instance of resistance to unjust domination shines in history with a distinguished lustre.

The ancient *Argives*, like the *Romans*, irritated by their tyrants, expelled them, and changed their form of government into republican^a.

‘ The ancient *Corinthians* were always admirers of
 ‘ liberty, and enemies to tyrants. They waged many
 ‘ wars, not through desire of power, nor for the sake
 ‘ of plunder, but in defence of the liberties of *Greece*.
 ‘ Therefore the *Sicilians*, when under the tyranny of
 ‘ *Dionysius*,

^a *Ubb. Emm.* 11. 76.

‘ *Dionysius*, and in fear of the *Carthaginians*, chose to
 ‘ apply to the *Corinthians* rather than any other people.
 ‘ And when *Dionysius* was expelled from *Syracuse*, and
 ‘ banished to *Corinth*, and when *Timoleon* had success-
 ‘ fully terminated the war, and restored liberty, the
 ‘ *Syracusans* extolled to the skies the *Corinthians*, their
 ‘ glorious deliverers. And those praises were height-
 ‘ ened afterwards when *Timoleon*, a second time, drove
 ‘ out the *Carthaginians*, and restored liberty to the other
 ‘ cities as well as to *Syracuse* ^a.’

‘ *Arminius* (says *Tacitus* ^b), aspiring to dominion
 ‘ over his country (*Germany*), and encroaching upon
 ‘ her liberty, raised civil wars with various success,
 ‘ and, at last, was privately cut off by his own rela-
 ‘ tions, though he had delivered *Germany*, and had suc-
 ‘ cessfully resisted the *Roman* invasions, at a time when
 ‘ *Rome* was in the zenith of her power.’ Those brave
 savages would have no master, not even an illustrious
 or a gentle one.

Statilius and *Favonius* thought slavery preferable to
 civil war about liberty ^c. A way of thinking very
 different from *Salust*’s, who, speaking of liberty, uses
 these words, *Quam nemo bonus nisi cum vitâ amisit*.

Brutus declared he would never be a slave to the
 mildest master ^d. The point is not merely, Whether
 the people are actually groaning under oppression, and
 expiring by hundreds in a day in the hands of the tor-
 mentors; but whether the free constitution is safe. If
 that is unhinged, if the mounds are thrown down
 which stood between the people and power, no one can
 say how soon oppression may rush in upon them like a
 deluge.

^a *Ubb. Emm.* II. 110.

^b *ANNAL.* lib. II. cap. 88.

^c *ANT. UNIV. HIST.* XIII. 273.

^d *Ibid.* 311.

deluge. Of that great patron of liberty, the Antient Universal Historians write as follows :

‘ Thus fell *Brutus*, in the 43d year of his age, and
‘ with him fell the liberty of *Rome*, and of the *Roman*
‘ people. He was a man in whom the malice of his
‘ enemies could discern no fault, in whom the virtues
‘ of humanity were eminent; in whom a constant,
‘ firm, and inviolable attachment to the public good,
‘ formed the principal and most distinguishable part of
‘ his character, and the uninterrupted business of his
‘ life ever in view, ever pursued from the inherent
‘ equity of his mind; for he was, as his historian well
‘ observes, by nature exactly framed for virtue, with-
‘ out one breach of that never to be omitted distinction
‘ of *fas* and *nefas*, right and wrong. And here it may
‘ not be altogether foreign to our purpose, to illustrate
‘ this transcendent rectitude of his mind, by instancing
‘ his refusal, contrary to the opinion of *Cicero* and his
‘ other friends, to employ the arts of oratory in gild-
‘ ing over the fairest cause, when after the death of
‘ *Cæsar* he addressed himself to the *Roman* people. It
‘ cannot be supposed that *Brutus*, who had long been
‘ famed for eloquence, could be ignorant of speaking
‘ to the passions of men, an art too successfully made
‘ use of by *Antony* on the same occasion. Such, then,
‘ was the integrity of *Brutus*’s mind, that he could not
‘ stoop to employ any indecent means even in the pur-
‘ suit of virtue. The death of *Cæsar* was undoubtedly
‘ justifiable under the government which then prevailed
‘ in *Rome*, notwithstanding all the dirt that has been
‘ thrown at this transaction by the mean and groveling
‘ abettors of arbitrary power. We may see what the
‘ *Romans*, and *Tully* the least adventurous of men,
‘ thought of this action by a passage in one of his let-
‘ ters to his friend *Atticus*, bemoaning the misfortunes
‘ of

' of the times, when he says, But notwithstanding the
 ' cloud that hangs over us, I console myself in the
 ' ides of *March*. Our heroes have done every thing
 ' within their power, and with a resolution by which
 ' they have acquired immortal glory. Nor was the
 ' putting the destroyer of their constitution and liber-
 ' ties to death, by violent hands, without precedent in
 ' the *Roman* history. And as to the method they made
 ' choice of, it appears adequate to the dignity of the
 ' action; for who more proper to compass such an
 ' event, than a number of senators distinguished by
 ' their attachment to liberty? Or what place could be
 ' more justly fixed on for the tyrant of *Rome* to expire
 ' in, than that dictatorial chair which he possessed in
 ' violation of the laws of his country? We often see
 ' the love of one's country the bent and inclination of
 ' very different men, influenced either by passion, acri-
 ' mony of temper, vanity, resentment, a lust of power,
 ' or any other inducement; nor were all those who
 ' joined in that glorious cause, altogether free from
 ' such suspicions; for an uniform, steady, constant
 ' attachment to the public good, was to be met with
 ' in *Brutus* alone. Men generally differ from them-
 ' selves as much as from one another; *Brutus* was al-
 ' ways the same. If we have dwelt too long in con-
 ' sidering the virtues of this great man, the mighty
 ' excellence of his character, and his inviolable at-
 ' tachment to the public cause, may plead our excuse.
 ' We are not only indebted to history for the enlarge-
 ' ment of our minds, but likewise for the improvement
 ' of our moral virtues; and to an *Englishman*, the fore-
 ' most of the rank is the pursuit of liberty. Who then
 ' more properly can become the object of our contem-
 ' plation than *Brutus*, the genius of liberty^a?

The

^a ANT. UNIV. HIST. XIII. 408.

The *Swiss* fought 60 battles against the *Austrians* for liberty^a.

Every country of small extent, says *Voltaire*^b, that is poor, and governed by good laws, will continue free, if once enfranchised. I should rather say, 'Every country that is once free, will continue free so long as it continues virtuous and incorrupt.'

'*Quinimo asseverare verissime, &c.* We can positively assert, that *Holland* and *Zealand* have not, in the space of 800 years, been subdued by any force, internal or external. In which it is to be doubted, whether any kingdom or commonwealth can be compared with us, unless *Venice* may be excepted^c.'

'I am an old man, upwards of eighty, and have seen more difficult times than these, even the *French* at our gates; but, by the blessing of God, on our firmness and resolution we have hitherto preserved our own state.—If at last we are overpowered, let us lay our cities under water, betake ourselves to our ships, and sail to the *East Indies*, and let those who see our country laid waste say, There lived a people who chose to lose their country rather than their liberties^d.' Words of old *Corverin* in the assembly of burgomasters, *A. D.* 1712.

The emperor *Henry*, *A. D.* 1110, offended with the *Bolognese* for the resistance they had made, built a citadel to bridle them. Countess *Matilda* animated them to demolish it. *Henry*, far from resenting, honoured them for their brave spirit, and gave them a charter of immunities^e.

The

^a *Volt. Ess. sur l'Hist.* II. 59.

^b *Ibid.*

^c *DECL. OF THE STATES ESTABLISHING THEIR LIB.*

^d *Tind. CONTIN.* I. 275.

^e *MOD. UNIV. HIST.* XXXVII. 5.

The people of the republic of *Sienna* in *Italy* fled from their native country, when taken by *Cosmo*, general to *Charles V.* A. D. 1555, not because they had then lost their liberties; but because they feared they should lose them. They went and settled at *Monte Alcino*, and other places^a.

The first funeral oration is said to have been spoken over *Du Guesclin*, who dethroned *Peter* the cruel of *France*^b.

Clovis, king of the *Franks*, going to give the archbishop of *Rheims* a piece of plate, taken among the plunder, was prevented by a common soldier, who hewed it in pieces with his battle-axe, and divided it equally, not allowing the king the prerogative of dividing in an arbitrary manner. Nor was the man punished for it, though the king found an occasion against him afterwards. A plain proof of great liberty among the *Franks*. See likewise the *Aragonian* manner of electing their kings^c.

An elegant writer observes, that the ‘*Florentines* made the same figure in the 14th century in *Italy*, as the *Athenians* had done in *Greece*. The fine arts appeared in no part of *Europe* but amongst them; and they were by far the most respected people in *Italy*. Their civil dissensions, however unhappy, increased their courage, and added to their experience. In matters of religion, though they professed themselves votaries to the see of *Rome*, they exercised the independency that became a free people, and were, perhaps, the most void of superstition of any we read of in history. When the *Pope* touched upon the string of sovereignty over them, they acted with the same spirit

^a *Robertson's* CH. V. III. 318.

^b *Volt. Ess. SUR L'HIST.* II. 142.

^c *Rap. I. PREF. IV.*

‘ spirit against him as they had done against the emperors and their own tyrants ; and what is most incredible in that bigotted age, his fulminations and interdicts served but to increase their unanimity in despising them, while in other countries they were dethroning princes, and subverting constitutions. Next to this the great character of the *Florentines* consisted in the good faith with which they fulfilled all their engagements, and in their passion for freeing all the other states of *Italy* from tyranny. The *Florentines* always took the lead amongst the states of *Italy*; but it ought to be mentioned, to their honour, that we have not upon record any act of unprovoked oppression, that they were guilty of, towards their neighbours; nor do we know one instance of their infringing the terms upon which any people came into their alliance, or under their protection^a.’

Florence in a manner supported the liberty of *Tuscany*. She paid immense subsidies. Kept armies on foot. And yet her citizens out-vied all *Europe*, in the splendor and elegance of their equipages, in their manner of living, in their buildings, and public exhibitions, in which they imitated the *Trojan* games, so finely described by *Virgil*, and common amongst the *Romans*, who were the patterns of the *Florentine* policy, both in peace and war ; but with this advantage in favour of the latter, that they were a commercial state^b.

Florence was, at that time, at a very high pitch of happiness and prosperity. Her people were rich, powerful, united, and flourishing in learning, arts, and sciences ; all this prosperity was owing to the wisdom and virtue of a private citizen, *Lorenzo de Medici*. The tranquillity of this country was such, that it afforded no events

^a MOD. UNIV. HIST. xxxvi. 151.

^b Ibid. 175:

events proper for history to record, unless we mention the encouragement given to men of learning, who filled the country with writings, and works, that will ever be the admiration of mankind. *Lorenzo* resembled his illustrious predecessors in their public and private virtues, but exceeded them in personal accomplishments. He had a turn for military affairs, though peace was his darling object. Compositions are still extant, that prove him to have been both a poet and a critic. He was a good judge of architecture, which in his time was commonly combined with painting; and of music. He founded the university of *Pisa*, to which he brought the most learned and ingenious men in *Italy*. He is said to have been more amorous than was consistent with the strict practice of virtue; and like other great men of antiquity, unbent his more serious hours with juvenile recreations. To amuse his busy pragmatistical countrymen, and to render *Florence* more populous, he exhibited jousts, tournaments, plays, and other diversions, which reconciled them, in a great measure, to that aristocracy of which they were so naturally jealous.

Upon his death, all the *Italian* states and princes sent compliments of condolance by their ambassadors to *Florence*^a.

The *Florentines* were, at last, split into a thousand factions about resettling their form of government. They seemed to look back with surprise and horror at their situation, under the family of the *Medici*; they did not consider the advantages brought to their country, as an equivalent for the interruption which they had given to the power of the people. They had preserved the forms of the constitution, but had deprived them of the substance.

Soderini

^a MOD. UNIV. HIST. XXXVI. 341.

Soderini proposed, that all the magistrates, should be chosen by an assembly, who were legally qualified to partake of the government. This method, he thought, would be an incentive for citizens, to aspire to publick offices, by virtue and merit. As to extraordinary powers, and matters of high importance, he proposed the people should chuse a separate magistracy for that purpose, who were to deliberate independently of them. He thought that on those two points depended the true form of popular government.

The madness of a *Dominican* frier set at nought all their wisdom; his name was *Savonarola*, he was perpetually haranguing from the pulpit, but from his enthusiasm the foundations of a noble constitution was laid, by placing the legislative power in the hands of citizens, legally qualified for posts in government, who were to dispose of the executive power, as they saw proper ^a.

In the year 1766, a terrible insurrection was made in *Jamaica* by the negroes, upon the same principle as the bravest people of ancient or modern times have struggled for recovery of their liberties. They killed many of their tyrants, who never have been used to hesitate about killing them. They were however immediately suppressed, and those who were taken (I can scarce hold my pen to write it) ‘were burnt alive, says ‘the account, on a slow fire, beginning at their feet ‘and burning upwards,’ while those hardy creatures, like so many *Scævolas*, smiled with disdain at their tormentors, and triumphantly called to the spirits of their ancestors, that they should quickly join them ^b.

I ask any human being, who has in him any thing human, whether all the yellow dirt of this world is
an

^a MOD. UNIV. HIST. XXXVI. 356.

^b LOND. MAG. 1767, p. 258.

an object of consequence, enough for men—for *Englishmen*—to turn themselves thus into fiends of hell, and to break loose upon their fellow-creatures with such infernal fury, for doing what no people in the world are more ready to do than themselves, I mean, resisting tyranny.

A. D. 1730, the brave *Corficans*, galled by the cruel yoke of the tyrannical *Genoese*, rose in arms, and published a manifesto, importing, that their intention was only to assert their liberty^a.

No revolution, says *Voltaire*^b, was ever brought about with so little trouble and bloodshed, as that of *Sweden*, when *Christiern* received from a single unarmed magistrate, *Mans*, the order to quit the throne, and abdicated immediately. But he had made himself thoroughly odious to the people by his cruelty, of which one example shall be given *instar omnium*, viz. his ordering the mother and sister of the great and good *Gustavus*, in revenge for his endeavours to rescue his country, to be put in two different sacks, and thrown into the sea.

The human mind (*Buchanan*^c says) has something sublime and generous implanted in it by nature, which impels it to resist unjust power. The *Scots*, he says, never failed to restrain, or punish their kings for mal-administration. *Baliol*, particularly, was dethroned for giving up his kingdom to the *English*. The *Scots*, he says, bound their kings to the observance of the laws and customs by a very strict coronation-oath. He labours to shew, that the apostolical directions to the christians, concerning submission to kings and magistrates, are no argument against resisting tyrants; but a caution to the professors of the new religion, that

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they

^a CONTIN. RAPIN, VIII. 80.

^b VOLT. ESS. SUR L'HIST. III. 18.

^c DE JURE REGNI, &c.

they must not think themselves exempted thereby from the duty of peaceable subjects; and he shews, that what is said in honour of the supreme magistrate, as appointed of God, and bearing the sword for punishing the wicked, &c. does not relate to the infamous *Roman* tyrants of those times; but to the office, abstracted from him who bore it. He mentions the divine order, 2 CHRON. XVIII. 19. for killing king *Achab*, as a proof that scripture does not require absolute submission to tyrants; and observes, that if the slaves of power should argue from one set of texts, that tyrants are never to be resisted, they must, to be uniform, allow that other passages authorize the dispatching of wicked princes. And he insists, that, as in holy writ, there are general orders for cutting off all irreclaimably wicked persons, without any exception in favour of kings; it must follow, that tyrants are, in obedience to scripture authority, to be cut off. He approves of the putting to death of *James III.* of *Scotland*, for his cruelty and wickedness, and of the regulations made for securing those, who destroyed him, and mentions, that twelve, or more of the Scottish kings, were condemned to perpetual prison, or banishment, or death, for their crimes.

It is an unsurmountable argument against slavery, that nature, in every human being, revolts against it, when it comes to touch himself. We wonder to read of dastardly people, and crafty priests, standing up for the divine right of tyrants, as if they forgot, that by and by themselves may come to be sufferers. But the partisans of tyranny keep always a mental reservation in their own favour. They are for enslaving all mankind, and intend that themselves shall be little tyrants under the great one. Even among the ecclesiastics, the zealous trumpeters of passive obedience in all ages and countries,

countries, whenever those clumsy kings, who had not sense enough to keep to the fundamental maxim, That the king and the priest are to play the game into one anothers hands, or those few, very few noble minded princes, who have been above the meanness of both king-craft and priest-craft, have broken in upon what churchmen call their sacred prerogative, and proposed to put them, either as to taxes or incomes, nearly upon a foot with the laity, we always find, that slavery is a very terrible affair; kings, who use freedom with their sacred order, are tyrants; and heaven is appealed to in vindication of their quarrel. Of this the reader will see instances in these collections.

There is always a somewhat, where human nature, even in the most feeble spirits, vindicates to itself its unalienable right. The following private anecdote, told me by one who knew the parties concerned, illustrates this.

In the mad times of *Sacheverel*, when many seemed willing to go all lengths in obedience to authority, a man of sense took some pains to give a lady, a friend of his, juster notions than she had of the limits of obedience. ‘Suppose,’ says he, ‘Madam, that the king should seize, by a *quo warranto*, your husband’s estate, and make him, and yourself, and children, beggars; would you think resistance unlawful?’ ‘I should have much cause of complaint,’ says the lady; ‘but,’ (raising her pretty eyes to heaven) ‘we must not resist the Lord’s anointed.’ ‘But, Madam, I will put a harder case still. Suppose the king should force your ladyship into his bed, don’t you think your husband might lawfully promote an association for extirpating such a brutish *Tarquin*?’ The lady, with down-cast eyes, and a countenance covered with a rosy blush, answered: ‘The case you now put, Sir, is undoubtedly

‘harder than the former. But, as the whole sin should
 ‘be the king’s, and kings are answerable to God only,
 ‘I do not think, my husband could lawfully do any
 ‘thing toward vindicating his honour by violence.’
 The gentleman knowing, that the lady was, as all the
 votaries of passive obedience, staunch for the established
 church, and bitter, if a lady can be bitter, against the
 dissenters, resolved to put to her one question farther,
 which he did as follows: ‘Give me leave, Madam,’
 says he, ‘to ask you once more; Suppose the king should
 ‘order your ladyship to go to meeting?’ ‘What,’ (says
 she, rising in a lovely passion, which enlivened every
 feature, with eyes sparkling, lips quivering, and bosom
 heaving) ‘me to a wicked schismatical presbyterian
 ‘meeting!’ (These opprobrious words she had learned
 from the parson of the parish.) ‘I would kill him,’
 (says she, clenching her little, weak, soft hand, which
 made the gentleman hope he should have the pleasure of
 a box on the ear, of which however he was disap-
 pointed) ‘if I were to die for it, sooner than he should
 ‘make me enter the door of a conventicle.’

If a weak delicate woman could be thus roused in
 defence of what she called her religious liberty, surely a
 man ought to suffer emasculation as soon as to yield
 himself a voluntary slave.

Hardly any people ever were so fordid, as not to
 shew some love of liberty. Even the *Polish* peasants,
A. D. 1620, oppressed by their tyrannical lords, fled to
 the *Ukraine*, where there was more freedom^a.

However indifferent about the welfare of his country
 a man may be in his heart, it seems strange, that any
 man should fairly *declare* himself so. For he who owns
 himself unconcerned about the liberty and happiness of
 so

^a MOD. UNIV. HIST. XXXIV. 198.

so many millions of his fellow-creatures, (many of whom are persons of amiable characters, and connected with himself by the most endearing ties,) declares himself an unfeeling, sordid, selfish brute, hardened against natural affection, and incapable of every generous, every tender, and virtuous attachment. One would think, instead of making such a character a man's boast, there should not any where be found a human being, who should not be enraged at the imputation of such baseness of disposition.

Here let it be observed, at what a frightful rate of velocity we degenerate. 'The *love* of our *country*, or ' *public spirit*, (says Mr. Gordon^a,) is a phrase in every ' *body's mouth*, but it is talked of without being felt.' Mr. Gordon wrote this, *A. D.* 1721. So miserably are we sunk in half a century, that scarce any body now mentions love of country for any other purpose than to turn it to *ridicule*.

' Whatever character we may have,' says Mr. Alderman *Heathcote*, in his speech in the house, *A. D.* 1744, ' or whatever character we may deserve among foreigners, I hope we shall always take care to preserve ' the character of being a brave and a free people. ' Foreign slaves may think as highly as they please, Sir, ' of the steadiness of their public councils; but among ' such, I hope, we shall always be deemed a turbulent ' and unsteady people. This character must always ' necessarily attend a free government; because in all ' such governments, there have been, there will always ' be, some minister, or some set of ministers, forming ' schemes for overturning the liberties of the people, ' and establishing themselves in arbitrary power. Such ' men are generally at first the idols of the people, and ' before their latent designs come to be discovered, they ' generally

‘generally prevail with the people to enter into such
‘measures, or to make such regulations as may contri-
‘bute to the success of their designs. But if the people
‘are wise enough, and sufficiently jealous of their liber-
‘ties, as the people of this country, thank God! have
‘always hitherto been, they never fail to discover these
‘designs before they are ripe for execution. As soon as
‘they have made this discovery, they begin to see the
‘evil tendency of the measures or regulations they have
‘been led into, and of course they must alter the former
‘and repeal the latter. This therefore which foreign
‘slaves, as most of the people around us, impute to a tur-
‘bulency or unsteadiness in our temper, is nothing but
‘the natural effect of the freedom of our government;
‘and whilst the cause lasts, which I hope it will always
‘do, the effect must continue the same.’

And will you, my good countrymen, will the brave and generous-spirited *English*, so soon after the expulsion of popery and slavery, will you submit to be enslaved by a handful of your fellow-subjects? You, who have so often made the mighty monarchs of *France* and *Spain* tremble on their thrones, and so lately have made *Europe* stand aghast, are you not ashamed to shew yourselves afraid of a *Harley*, a *Walpole*, a *Pelham*, a *Bute*, a *North*? For either you were afraid of them, or you suffered yourselves to be deceived by them, which is almost as shameful; or you would, before now, have demanded, and obtained, either by petition or by force, the correction of the ruinous abuses I have, in these volumes, pointed out.

Besides the general reluctance in the people against commotions or alterations in public affairs, occasioned by their timidity, indolence, and want of public spirit; there are certain bodies of men in the nation, who
think

think themselves particularly interested in opposing all such proceedings, viz. the proprietors of stocks, the placemen, pensioners, expectants, and other dependants on the court, the established clergy, the army, and the inhabitants of the rotten boroughs, who now make a rich harvest, every seven years, by sending up a majority of the house of commons.

Whenever opposition is made to an apparently wise reformation, let the people look that corruption be not at the bottom. When the Mareschal *d'Humieres* had over-run the *Netherlands*, and *Holland* appeared to be in the utmost danger from the arms of *France*, the villanous magistrates of *Amsterdam*, *Leyden*, *Delft*, &c. bribed (as by intercepted letters appeared) with French money, still opposed the raising of an armament, fearing, as they pretended, to trust the Prince of *Orange* with an army. The Prince, from despair, and fear of utter ruin to his country, attempted to obtain authority for raising an army by a plurality of voices, whereas by the constitution unanimity is absolutely necessary. This proposal had almost lost the Prince his whole popularity. His enemies alleged, that, from motives of ambition, he meant to overthrow the constitution of his country. Shortly after this, he intercepted letters from *D'Avaux*, the French ambassador, to the king his master, with accounts of money disbursed by him in corrupting those patriotic magistrates, so jealous of the Prince of *Orange's* ambition. This turned the tide in favour of the Prince and his proposed armament against *France*. In the same manner, my good countrymen, whenever you observe men expressing great fear lest the redress of undoubted and ruinous grievances should produce fatal consequences; look, whether those cautious patriots are

not already, or do not expect to be gainers by present measures and present men. If you find this to be the case, let every word those gentlemen say against measures for redress, go for nothing. They are interested.

If it be urged, that those who now depend on places will be undone by the proposed reformation, it may be answered, That it is easy to provide in a moderate way for the necessitous; and that the others may drink port instead of claret. The dependents on the court, though very numerous, much too numerous, are but a handful, compared with the great multitude, who have neither hopes nor fears from the ministry. In the year 1714, most of the merchants and monied men were for the *Hanover* succession, and against the Jacobites; because they thought their property would be most likely to be safe under protestant kings. In our times, we see many of the monied men against their country's good. Our men of property in the public funds, oppose whatever can be offered for restoring independency to parliament, which alone can give hope of getting our finances put into order. If you go to altering any thing, they cry, it will produce disturbance, and then public credit may suffer. But will public credit be safe, if you do not alter any thing? Such men as *Price*, and *Hume*, and *Grenville*, who have heads for calculation, will tell you, that in the way we have hitherto conducted our money-matters, there is the highest probability of a national bankruptcy. And the excellent *Price*, particularly, tells you, that it is not yet too late to save the nation. But he tells you, at the same time, that nothing will save it but the faithful application of a fund for diminishing the debts and taxes. And every body knows, that nothing will
make

make a ministry faithful, but the fear of an independent parliament. Yet our men of property in the funds are afraid of proposals for rendering our parliaments independent. This is literally *ne mori are mori*. It is resolving to sit still, till the house tumbles in ruins upon our heads, because being old and crazy, we are afraid of propping it up.

It is true, that many of those whose property is chiefly in the funds, are disposed to put the negative on all proposals for alterations even for the better. They are apprehensive, that in the concussion of reformatations and restorations, public credit may be affected, by which they may come to be losers.

Were public credit upon a sure foundation at present, it might be pretended that it is prudent to avoid what may be likely to shake it. If a patient is in a fair way toward recovery, there is no occasion to disturb his slumbers, for the sake of his taking medicines. But if he is in a lethargy, it would be strange practice to let him sleep on. Can any man of common understanding look upon our public funds as in a state of safety, while the nation, with all that belongs to it, lies at the mercy of a profligate court, and in the power of a set of blundering ministers, who are pursuing measures, the natural tendency of which is, To prejudice trade, and consequently to lessen the national income, on which public credit depends? No certainly. On the contrary, the only means for securing public credit, are, first, to associate for its support, as was done on occasion of the rebellion in 1745, (this ought not to be put off one day,) and then to associate for such redress of grievances, and such a restoration of the constitution, especially respecting the house of commons, as will of course put public credit and every thing else, upon a very

very different foot from the present. In forming a national association, it will not be amiss to make a proviso, that all public creditors who join the association, shall have certain preferences, and other advantages, not to be allowed to those who decline.

The established clergy in every country, are generally the greatest enemies to all kinds of reformatations, as they are generally the most narrow-minded and most worthless * set of men in every country. Fortunately for the present times, the wings of clerical power and influence are pretty close trimmed; so that I do not think their opposition to the proposed reformatations could be of any great consequence, more of the people being inclined to despise than to follow them blindly.

The most formidable opposition to the proposed redress

* The opposition lately shewn by the clergy of *England* to an enlargement of religious liberty proves, that this maxim is equally just, when applied to the clergy of this, as of other countries. In the course of my reading, in order to make the collection, of which I have published a part, I could not help setting down as many proofs of this observation, as would make two volumes in octavo. Had our clergy behaved themselves as they ought on the late occasion, I should have had thoughts of mercy toward them, and probably should have suppressed what I had collected to their disadvantage. But as they have lately shewn themselves enemies to religious liberty, I think it is every honest man's duty to do all he can to detect and defeat their mischief. At the same time that I am thus severe on the body of the established clergy of this and other countries, I own with pleasure, that I have been happy in the friendship of many excellent men of that order, who really believed what they subscribed and professed, which was the case of my most venerable parent, whose memory will ever be sacred with me.

dress of grievances may be apprehended likely to come from the standing army, the great instrument of slavery, without which no people ever were enslaved. But even this formidable difficulty does not appear unfurmountable; of which in the sequel.

A tyrant, says *Aristotle*^a, cannot be overthrown, but by agreement among the people. Therefore all tyrants [whether kings, grandees, or ministers,] labour to keep up dissensions and parties among the people. Ου καταλυεται γαρ, κ. τ. λ. *Aristotle*^b thinks the most precarious species of tyranny is that which is supported by a few, as being particularly exposed to the envy of the people, and liable to contests among themselves. Και τοι πασων, κ. τ. λ. A corrupt parliamentary government is a sort of oligarchy, and if we will take *Aristotle's* word, not so formidable as some other kinds of tyranny.

I wish it may not be found, that the wickedness of some and the folly of others among us, have produced a ground of opposition and party-spirit of a peculiar kind, the effects of which may disturb our measures for procuring redress.

It is an old and vulgar error, That opposition and party are necessary in a free state. It is true, that when the government is of the common character of governments, that is, a junto of artful and pushing grandees, who have thrust themselves into the management, in order to enrich themselves and their families; it is very necessary that there should be a party to detect and expose their schemes and machinations against the country. But this is only saying, that one evil is necessary to balance another evil. Nobody ever thought an
opposition

^a POLIT. v. 11:

^b Ibid. v. 12:

opposition necessary in a private family, where the heads have nothing but the good of the family in view. Sound politics therefore direct, not to set up one party against another, the one to battle against the other; but to take away the fuel of parties, the emolumentary invitations to the fatal and mischievous strife, in which every victory is a loss to the country.

‘ It is amazing, says *Schoock*^a, that though history
‘ shews so many kingdoms and commonwealths ruined
‘ by civil discord, yet we see, in many countries, a
‘ set of men, blinded by pride and ambition, forcing
‘ their country upon this fatal rack; and the people
‘ still as thoughtless of the danger, as if there were no
‘ warnings of it upon record.

‘ We treasure up money, and lay in store of provi-
‘ sions; we build walls and fortifications, and form
‘ magazines of arms against our enemies; and we neg-
‘ lect what is at all times in our power, and is incom-
‘ parably more useful for our defence, viz. the arts, by
‘ which, as history teaches, we may secure the state.
‘ From history we should learn, that *Cyrus*, called in
‘ by the *Carians* to quell a civil broil, enslaved that
‘ country; that the *Romans* took the same advantage
‘ of subjecting to their yoke the states of *Greece*; many
‘ others involved in domestic quarrels, which that
‘ ambitious people artfully fomented; that the aristo-
‘ cracy of the *Rhegians* in this manner lost their liber-
‘ ties; that the *Seleucians*, while they agreed among
‘ themselves, despised the *Parthians*, but when discord
‘ prevailed among them they were ruined; that the
‘ ancient *Britons*, calling in the *Saxons* to assist them
‘ against their neighbours the *Picts* and *Scots*, were
‘ oppressed

^a RESP. ACHÆOR. p. 79.

‘oppressed by their auxiliaries^a.’ ‘*In commune non*
‘*consulunt, &c.* They do not consult the common in-
‘terest. It is seldom that two or three states will assem-
‘ble to repulse the general danger. Thus while they
‘resist singly, they are all conquered^b. *Cæsar* had not
‘made so easy a conquest of *Gaul*, had not that coun-
‘try been torn with intestine divisions^c.’ ‘Civil dif-
‘cords, says *Livy*, have been, and will be, more
‘ruinous to states and kingdoms than foreign war,
‘pestilence, and all the calamities which the wrath
‘of heaven sends down upon mankind.’ ‘*Nulla quam-*
‘*vis minima, &c.* No nation (says *Vegetius*) however
‘inconsiderable, can be totally overthrown by its ene-
‘mies, unless it be divided within itself. But intestine
‘divisions arm one party against the other, and disqua-
‘lify both for opposing the common enemy^d.’

A writer in the *London Magazine*, July 1762,
p. 377, treats this subject as follows:

‘Attempts have been made to excite jealousy and ill-
‘will between one part of the nation and another.
‘The northern part of the kingdom has been repre-
‘sented as less worthy of the royal countenance and
‘protection than the southern. People, whose dwell-
‘ling is parted from ours only by a wall or a rivulet,
‘are mentioned as a different species; and every one
‘who happens to be born on the farther side, is stig-
‘matized as being destitute of honesty and parts, inca-
‘pable of public service, and unworthy of public
‘confidence: but the same difference might with the
‘same

^a RESP. ACHÆOR. p. 80.

^b Tacit. IN AGRIC.

^c Cæs. BELL. GALL. LIB. I. PASS.

^d Schoock. RESP. ACHÆOR. 78.

‘ same reason be made between a native of *Lancashire*
‘ and one of *Kent*, as between a native of *York* and of
‘ *Edinburgh*. And a man might with as much propri-
‘ ety reject the advice of a physician, because he lives
‘ in another parish, as a prince the service of an honest
‘ and able subject, because he was born in a particular
‘ county. It is indeed the characteristic of a wise and
‘ good prince to avail himself of integrity and parts
‘ wherever they happen to be found, without any re-
‘ gard to external circumstances, least of all to the
‘ particular spot of his dominions where they were
‘ produced. These who labour to spirit up intestine
‘ broils and divisions, at a time when our utmost united
‘ strength is necessary to support us against the united
‘ force of foreign and intestine enemies, cannot surely
‘ be considered as the friends of their country ; for it
‘ is impossible to give a stronger proof that their interest
‘ is not that of the public.’

‘ Eating oatmeal, scratching for the itch, lousiness,
‘ and beggary, are what an *English* porter would very
‘ readily apply to a *Scotch* nobleman of the most inde-
‘ pendent fortune. Even this hackneyed and vulgar
‘ abuse, which one would expect to hear only in gin-
‘ shops and alehouses, was for years the standing topic
‘ of wit and raillery in a political paper, professing to
‘ handle the most important concerns of the state ; and
‘ the *Scots* had the good fortune to hear themselves re-
‘ proached every day for beggary. Every vice and bad
‘ quality, which could render the *Scotch* people the
‘ object of hatred and abhorrence to the human race
‘ itself, and to *Englishmen* in particular, was imputed,
‘ and boldly charged to them. In short, the very
‘ name of *Scot* was made a term synonymous to every
‘ thing that was rascally and dishonourable in charac-
‘ ter,

‘ter, excepting only that of coward. Why this imputation among innumerable others equally false and ridiculous, was always carefully avoided, I can only see one good reason, and that was, the writer’s regard for his own personal safety. He knew that this charge was the only one he could make which might be directly, and in point confuted, by sending him a challenge. Amidst all his folly he was wise enough not to give every *Scotchman*, who bore the appearance of a gentleman so very fair a pretence, which he suspected many would gladly lay hold on to call him out, and, if he refused a meeting, to use him according to the rules established among men of honour^a.’

Lord *Chatham* shews a nobler way of thinking; who, in the debate on the Stamp-act, spoke as follows: ‘I have no local attachments. It is indifferent to me, whether a man was rocked in his cradle on this side of the *Tweed*, or on that. I sought for merit, wherever it was to be found. It is my boast, that I was the first minister that looked for it; and I found it in the mountains of the north. I called it forth, and drew it into your service. A hardy race of men! men, who, when left by your jealousy, became a prey to the artifices of your enemies, and had gone nigh to overturn the state in the war before the last. These men were, in the last war, brought to combat on your side. They served with fidelity, as they fought with valour; and conquered for you in every part of the world. Detested be the national reflexions against them! They are unjust, groundless, illiberal, unmanly. When I ceased to serve his Majesty
‘as

^a LOND. MAG. 1768, p. 309.

‘ as a Minister, it was not the *country* of the man by
‘ which I was moved; but that the *man* of the country
‘ wanted wisdom, and held sentiments incompatible
‘ with liberty, &c.’

The minds of the railers against our northern brethren are so narrow, that they can take in but half this little island. A generous spirit, according to our elegant poet, embraces all human kind.

Our times have, I suppose, exhibited the first instance of persons setting up for patriots upon the avowed principle of making one half of their country enemies to the other half. All patriots before those who published a series of writings intitled *The North Briton*, which very title was intended to make *North Britain* odious to *South Britain*, have contented themselves with making a tyrant, or his tools, odious to the people; but never thought of teaching the people to hate the people.

This jealousy, industriously fomented by certain partisans, shews itself in various ways, and, among others, in an affectation of calling the *British* parliament the *English* parliament, as was usual and proper before the union; but ridiculous, so long as the union subsists. This attachment to the terms *England* and *English*, in preference to *Britain* and *British*, is peculiarly absurd in men, who profess themselves admirers of liberty; because we received the name of *England* from the *Angles*, or *Anglo-Saxons*, who conquered us, in exchange for the name we were known by, when free, and before the *Romans* set foot on our island.

The *South Britons* ought not to be too narrow-hearted to their northern brethren. Time was when

the *English*, flying from the oppressions of *William the Conqueror*, received protection in *Scotland*^a.

‘It is held by true politicians (says Sir *R. Steele* in his speech *A. D.* 1719, against a bill for altering the *Scotch* Peerage) a most dangerous thing to give the meanest of the people just cause of provocation, much more to enrage men of spirit with downright injuries^b.’ And afterwards, ‘We may flatter ourselves that property is always the source of power; but property, like all other possessions, has its effects according to the talents and abilities of the owner. And as it is allowed that courage and learning are very common qualities in that nation, it seems not very advisable to provoke the greatest, and, for ought we know, the best men among them.’

‘The direct tendency of libels is the breach of the public peace, by stirring up the objects of them to revenge, and perhaps to bloodshed^c.’ But the wicked man scattereth fire-brands, arrows and death, and sayeth, Am I not in sport^d.

The *Sicilian* vespers are a sufficient warning against fomenting national quarrels. In that massacre eight thousand *French* were butchered in one night in *Sicily*. The head of the conspiracy was *Procida*, whose wife had been debauched by a *Frenchman*. The bloody project was kept secret three years, and its execution hastened by the rudeness of a *Frenchman* to a *Sicilian* bride. The *Sicilians* massacred several of their own country-women, because they had married *Frenchmen*;

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and

^a *Hume*, HIST. I. 175.

^b *DEB. COM.* VI. 206.

^c *Blackst.* IV. 150.

^d *PROV.* XXVI. 18.

and dashed out the brains of many infants, the issue of those marriages^a.

One would suspect that they who set up, and keep up, the division between the two kingdoms, must have a warm side to *France*. For the union between the two kingdoms, which some among us seem desirous to be dissolved, was one of the severest blows *France* has ever suffered, as being the effectual shutting of the back door, by which she annoyed *England* the most fatally.

It is remarkable that in *Charles's* time, the patriotic parliament blame the papists and bishops for sowing divisions between *Scotland* and *England*^b. In our times the patriots are the sowers of divisions. And it is to be observed, that in those times the *nation* appeared in defence of *Scotland*, and threw the blame upon the incendiaries. In the late squabble we have not seen such a spirit of justice exerted by any *national* act, though all men of sense and breeding have execrated the railers in private conversation. This neglect ought to be made up, in order to heal the breach, and pave the way for unanimity, without which it will be impossible to procure redress of grievances.

‘ An incendiary (says *Whitelock*, in his speech at a
‘ consultation concerning danger apprehended from
‘ *Cromwell*, A. D. 1644) is one that raiseth the fire of
‘ contention in a state. Whether *Cromwell* be such an
‘ incendiary between the two kingdoms [*England* and
‘ *Scotland*] cannot be known, but by proofs of his
‘ words, or actions, tending to the kindling of this
‘ fire

^a MOD. UNIV. HIST. 147.

^b PARL. HIST. x. 51.

“ fire of contention between the two nations, and raising differences between us ^a.”

“ Surely (says Mr. *Maynard*^b) he who kindles the coals of contention between our *brethren* of *Scotland* and us, [this was long before the union] is an incendiary, and to be punished as it is agreed on by both kingdoms.”

No wise and public-spirited citizen of this great and growing empire will think of disgracing any part of it; but, on the contrary, of improving all. But our portentous times have produced ministers who have laboured to alienate our colonies; and patriots, who have sought popularity by acting the part of incendiaries. If we do not gain sufficiently by our colonies, let us encourage, not oppress them. If our northern brethren have not such high notions of liberty as we have (what nation ever had?) let us improve their conceptions; not enrage their minds by illiberal reflections. We shall find a corrupt court but too hard for us, if we even keep ourselves ever so well united. How much more, if we become a chaos of jarring and furious factions?

Do we not look back with horror on the times, when we were at enmity with *Scotland*, *Wales*, and *France*, or when we were sheathing our swords in one another's bosoms, the father massacring the son, and the son the father, in the cursed contest between the roses? What *Englishman* would wish to see those dreadful times return?

There was a shameful riot against foreigners *A. D.* 1517. The complaint against them was, that there were such numbers of them employed as artificers, that the *English* could get no work. But it is probable

Z 2

(says

^a *Whitel. MEM.* 112.

^b *Ibid.*

(says Mr. *Anderson*^a) that the true cause of complaint was, their working cheaper, and being more industrious than our own people, who trusted to their exclusive privilege.

The first and chief article against *Lauderdale* was, that he had ‘contrived and endeavoured to raise jealousies and misunderstandings between your majesty’s kingdoms of *England* and *Scotland*, whereby hostilities might have ensued and may arise, if not prevented^b.’
1679.

An article against *Radcliffe* was, that he and *Straford* directly conspired to stir up enmity and hostility between his majesty’s subjects of *Ireland* and of *Scotland*^c.

‘If I should but touch upon the usage we [the Scots] continually meet with from this nation [*England*] I should not be believed, if all *Europe* were not sufficiently informed of their hatred to all strangers, and inveterate malignity against the Scots. I know very well, that men of gravity and good breeding among you [the *English*] are not guilty of scurrilous reflections upon any nation. But when we are to consider the case in question, we must have a regard to the general temper and disposition of the people^d.’

When *James I.* came into *England*, it was alleged, that he too partially encouraged the Scots, who came with him, by giving them places and pensions; and that many of them established themselves in *England* by rich matches. This excited the jealousy of the *English*, and not without some appearance of reason, because

^a HIST. COM. I. 348.

^b DEB. COM. I. 354.

^c PARL. HIST. IX. 193.

^d FLETCHER, p. 372.

because *Scotland* was then a foreign country to *England*. But it would be as absurd, in our times, to object to our united northern brethren's coming to the southern part of the island, as for the people of *Sussex* to complain of some *Surry* men coming to settle among them, to earn, and spend money, and to raise families among them. The people of *North-Britain* have, indeed, great reason to complain of the continual emigration of the flower of their youth, which thins and impoverishes their part of the island. And if the northern parts lose, the southern must certainly gain: and the greatest of all gains to a country is people.

‘ If what King *James I.* had given the *English* had been as carefully examined as what was given the *Scots*, it would have been found ten times more, by the confession of the historians themselves; but herein was not seen the same inconvenience.’ And *Weldon* tells us, that ‘ Lord *Salisbury* used to make the *Scots* buy books of fee-farms of perhaps one hundred pounds a year, and would compound with them for one thousand pounds, which they agreed to, because they were sure to have them passed without any controul or charge. Then would *Salisbury* fill up these books with such prime land, as should be worth ten or twenty thousand pounds, which, as treasurer, he might easily do, and so enriched himself infinitely, and cast the envy on the *Scots*, in whose names these books appeared, and are still on record to all posterity.’ The consequence was, that the commons resolved, *A. D.* 1614, to pray the king especially to prevent future settlement of the *Scots* in *England*, the very contrary of what a due attention to their own interest would have taught them to request^b. By such

^a RAP. II. 186.^b Ibid.

arts as these, it is easy to make any set of people odious.

‘ If *Scotland* pays to *England* a balance of a million yearly, I insist upon it, that country is more valuable to *England* than any colony in her possession, besides the other advantages I have specified. Therefore they are no friends either to *England* or to truth, who affect to depreciate the northern part of the united kingdom.’

Sir *Christopher Pigot* was severely handled by the commons in the time of *James I.* for speaking scandalously of the *Scotch* nation in the debates about the union. He was committed to the Tower, and expelled the house. He begs to be released on account of his health. He was set at liberty; but no more received into the house^b. ‘ No *Scotchman* will speak dishonourably of *England* in the *Scotch* parliament,’ said *James I.* on this occasion^c. *James* told the parliament he understood, there was a great jealousy among the commons, that the *Scots* would have all the lucrative places; while, on the contrary, the *Scots* thought the union would prove a grievous degradation from being an ancient independent monarchy (three hundred years before the christian æra, according to some authors) down to a set of remote, disembodied, neglected counties, an appendage to the *English* dominion. He tells them, he wonders they should not be proud that the empire, of which they were subjects, should comprehend a great many different nations, *England, Scotland, Wales, Ireland, America, &c.* He mentions the happiness which had already been produced by the union of the crowns only. That the bordering coun-
ties

^a *Smollet*, quoted LOND. MAG. July 1771, p. 370.

^b PARL. HIST. v. 179, 181.

^c Ibid. 200.

ties of *Cumberland*, *Northumberland*, and *Westmoreland*, which used, for many ages, to be a scene of blood and devastation, were now in peace. He asks them, if they wish the former disorderly state of things renewed, or for ever abolished^a? If we had nothing of *James I.* but these thoughts on the union, we should say, he was a very judicious prince.

‘The happy union of *Scotland* with *England*, hath ever since the accomplishment of it flourished in interchangeable blessings, plenty, and mutual love and friendship; but of late, by what fatal disasters and dark underminings we are divided and severed into *Scotch* and *English* armies, let their well-composed preambles speak for me, which I wish were printed as an excellent emblem of brotherly love, which discovers who has wounded us both, and how each should strive to help the other in distress, seeing their and our religion and laws lie both at stake together. Think of it what you will, your subsistence is ours; we live or die, rise or fall together. Let us then find out the *boute-feu* of this prelatical war, and make them pay the shot for their labour, who no doubt long for nothing more than that we should break with them who worship the same God and serve the same master with us^b.’ Sir *John Wray*’s speech on the demands of the *Scots*, *A. D.* 1640. See other speeches shewing a great desire of unity between the two nations^c.

On this let us hear lord *Bolingbroke*^d:

‘King *James Ist*’s design of uniting the two kingdoms of *England* and *Scotland* failed. It was too

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‘great

^a *PARL. HIST.* v. 194, 199.

^b *Ibid.* ix. 204.

^c *Ibid.*

^d *Bolingbr. REM. HIST. ENG.* 255.

‘ great an undertaking for so bad a workman. We
 ‘ must think that the general arguments against it were
 ‘ grounded on prejudice, or false and narrow notions.
 ‘ But there were other reasons drawn from the jealou-
 ‘ sies of that time, and from the conduct of the king,
 ‘ who had beforehand declared all the *post nati*, or per-
 ‘ sons born since his accession to the *English* throne,
 ‘ naturalized in the two kingdoms; and these were
 ‘ without doubt the true reasons which prevailed against
 ‘ the union.’

March 1645, a formal complaint was sent from the *Scotch* parliament to that of *England*, of accusations written by one *Wright*, tending to divide the two kingdoms, and desiring that he may be found out and punished^a. The parliament of *England* orders inquiry to be made after this incendiary. Another letter was sent from the *Scotch* commissioners to the house of peers to the same purpose^b. The *Scots* might justly have made such a demand not long ago. ‘ Resolved, That the book
 ‘ intituled, SOME PAPERS OF THE COMMISSIONERS
 ‘ OF SCOTLAND, &c. doth contain matter false and
 ‘ scandalous, and the lords and commons do order that
 ‘ it be burnt by the hands of the hangman, and do de-
 ‘ clare, that the author thereof is an incendiary between
 ‘ the two kingdoms of *England* and *Scotland*.’

The *Scotch* army came into *England* in defence of the cause of liberty, against great promises made them by the king, at the time when his party was uppermost in the winter season; they continued in the field night and day skirmishing with the enemy, who possessed all the forts and places of lodgment, pursued the king’s army to *York*, joined the parliament’s forces, and beat
 prince

^a PARL. HIST. XIV. 273.

^b Ibid. 303.

^c Ibid. 318.

prince *Rupert*; took *York*, took *Newcastle* by storm, blocked up *Carlisle*, sent part back to *Scotland* to oppose the *Irish* and disaffected *Scots*. They were ill fed and ill paid in *England*. A month's pay promised *January 4*, not received till *April*^a. Parliament shews great anxiety about the *Scotch* army's advancing southward, and sends letters about it to the *Scotch* commissioners, which shews how much they depend upon it. They send two members of the house of commons with the letter signed by the Speaker, full of acknowledgments of past services^b.—‘The *Scotch* army, by whom the northern counties were reduced and kept in obedience.’ The *Scotch* army gains advantages in *Herefordshire*, for which a jewel, value 500*l.* was voted to general *Lesley*^c. Commissioners repeatedly sent to the *Scotch* parliament, full of the great importance of a good understanding between the two nations.—‘The common soldiers begin to be sick with eating of fruit.’ Letter from the *Scotch* army to parliament from *Herefordshire*^d. Subsisted on pease, apples, and what they found on the ground^e. They were fourteen months in arrears^f. Parliament always acknowledges, but pleads poverty. A remonstrance afterwards from the *Scots* to parliament says, they must perish or disband; not being paid, nor allowed to have free quarters, nor any means of subsistence. That the *English* parliament sent for them, and starved them when they came. The *Scotch* army lying in the northern parts, undoubtedly kept the king from going into *Scotland*, by which he might have gained a great advantage. When the *Scots* came into *England*, the parliament had nothing in the north parts but *Berwick*; soon after *Sunderland* was

^a PARL. HIST. XIII. 474.

^b Ibid. 496.

^c Ibid. XIV. 28.

^d Ibid. 36.

^e Ibid.

^f Ibid. 46.

was taken and garrisoned for the parliament. Then the army under the earl of *Newcastle* was driven into *York*, and the north cleared of the king's party. The town of *Hartlepool* and castle of *Stockton* were taken and garrisoned for parliament. The *Scotch* had likewise their share in the defeat of *Rupert* at *Long Marston*. They stormed *Newcastle*, took *Tinmouth*. All this they did in a manner *gratis*; for they had neither pay nor maintenance, nor clothes, to defend them from the injuries of the weather. The *Scots*, in *November* 1645, were in garrison in *Carlisle*, *Newcastle*, *Tinmouth*, *Hartlepool*, *Stockton*, *Warkworth*, and *Thirleston*. Parliament insisted on their evacuating those places immediately, without their pay; which they promise to make good to them^a. In one of their remonstrances to parliament, they beg to have clothes to cover their nakedness^b. Parliament publishes a declaration, in which they excuse themselves as well as they can, saying, they had done every thing in their power for paying and entertaining the *Scotch* army.

We find in the *PARL. HIST.* xv. 59. a remonstrance from the *Scotch* commissioners, vindicating their nation, and offering to withdraw their army. They complain of many calumnies and execrable aspersions cast upon the kingdom of *Scotland*, in pamphlets, expecting from the justice of the honourable house that they would of themselves vindicate the *Scots*, as the *Scots* had them. Accordingly the lords afterwards made a resolution, that the *Scots* at *Newcastle* had behaved in every respect properly, and with perfect fidelity to *England*. That they (the lords) are resolved to use all means that may clearly evidence to the world their good affections to that kingdom, and care to preserve inviolably the
happy

^a *PARL. HIST.* xiv. 130.

^b *Ibid.* 132.

happy union. Resolved, that all devisers or printers of any scandalous pamphlets or papers that shall, from this day, be printed against the kingdom of *Scotland*, or their army in *England*, shall be punished in a parliamentary way according to their demerits. A committee appointed for managing all matters concerning the peace and union of the two kingdoms.

The following are the words of the freemen and citizens of *London*, in their petition to parliament, *A. D.* 1646:

‘ We cannot but with sorrowful and perplexed
‘ hearts, resent the devilish devices of malignant, fac-
‘ tious, and seditious spirits, who make it their daily
‘ practice, and would rejoice in it as their master-piece,
‘ if they could once effect to divide these kingdoms of
‘ *England* and *Scotland* so firmly conjoined by a blessed,
‘ and we hope, everlasting union^a.’ They request that
by the ‘ justice of parliament, condign punishment
‘ may be inflicted upon such firebrands, the greatest
‘ enemies to the church and state;’ with more to the
same purpose.

We have likewise a petition of the mayor, aldermen, and commons of *London*, to the lords, desiring that jealousies against the *Scots* may be abolished, to whom they acknowledge great obligations for coming so readily, when at peace, to the help of *England*, at so unseasonable a time of the year, when *England* was so weak, and to whose interposition the success against the king was greatly owing, and how necessary for future happiness to keep the amity between the two kingdoms.

‘ We are confident that a curse from heaven shall
‘ be upon those persons, who, for their own ends and
‘ interests,

^a PARL. HIST. XV. 232.

‘interests, coloured with specious pretences, apply
 ‘themselves to sow discord between brethren, to make
 ‘divisive motions, and to create and increase differences
 ‘between the kingdoms.’ *Scotch committee at London*
to parliament, June 16th, 1646.

‘The kingdom stands involved in many engage-
 ‘ments and debts both to their brethren of *Scotland*,
 ‘(who, like true christian brethren, came to our aid
 ‘against the common enemy) as also to a multitude of
 ‘officers.’ *Petition of the lord mayor, aldermen, &c.*
of London, to the lords, July 1647^b. And afterwards
 [one of the articles of their petition is, ‘that by just
 ‘and good means, the correspondence with our bre-
 ‘thren of *Scotland* may, according to the national co-
 ‘venant, be maintained and preserved.’ ‘When this
 ‘kingdom [*England*] was in difficulties, if the king-
 ‘dom of *Scotland* had not willingly, yea, cheerfully
 ‘sacrificed their peace to concur with this kingdom,
 ‘your lordships all know what might have been the
 ‘danger: therefore let us hold fast that union which
 ‘is so happily established between us, and let nothing
 ‘make us again two, who are so many ways one, all
 ‘of one language, in one island, all under one king,
 ‘one in religion, yea in covenant, so that in effect we
 ‘differ in nothing but in name, as brethren do, which
 ‘I wish were also removed, that we might be altoge-
 ‘ther one, if the two kingdoms shall think fit. For
 ‘I dare say, not the greatest kingdom upon earth can
 ‘prejudice both, so much as one of them may the
 ‘other.’ *Marquis of Argyle’s speech at a committee*
of both houses^d.

In the famous protestation, *A. D.* 1641, all the mem-
 bers of both houses solemnly swear to keep up the
 union

^a *PARL. HIST.* XIV. 418.

^b *Ibid.* XVI. 53.

^c *Ibid.* 57.

^d *Ibid.* XIV. 464.

union among the three kingdoms of *England*, *Scotland*, and *Ireland*, and this before the union of the two kingdoms of *Britain*. [In those days, people understood the importance of union.] The commons wanted the lords to agree to a bill for the general taking the protestation. The lords reject the bill, though they thought it right for both houses to take the protestation^a. The commons conclude that this was done by the influence of the popish members and bishops. They resolve that no person refusing it, is fit to be in any place of trust. Order this resolution to be sent by the members to their several counties, cities, and boroughs, and to be printed and published.

This king expected parliament to support him against the *Scotch* army at *Newcastle*. ‘But it was the leading
 ‘men of the party against the king that encouraged the
 ‘*Scotch* army to enter *England*, and this party was so
 ‘superior in parliament, that few of the king’s friends
 ‘durst open their mouths to support his interest. It
 ‘was this *Scotch* invasion that compelled the king to
 ‘call a parliament, and enabled the parliament to break
 ‘all the king’s measures, and oblige him to suffer a
 ‘redress of grievances. In a word, it was solely by
 ‘means of the *Scots* that the parliament had it in their
 ‘power to restore the government to its ancient and
 ‘natural state. They (parliament) would have acted
 ‘against their own interest, and directly contrary to
 ‘the end they proposed, if they had supplied the king
 ‘with means to drive the *Scots* out of the kingdom.
 ‘Accordingly they took not one step tending to that
 ‘purpose. On the contrary, it evidently appeared
 ‘that they considered the *Scots* as brethren, who hav-
 ‘ing the same interest as the *English*, were come to
 ‘assist them, and act in concert with them^b.’ The
English

^a PARL. HIST. IX. 503.

Rap. II. 365.

English ought never to have forgot this. Sir *William Widrington* member for *Northumberland*, happening to call the *Scotch* army rebels, would have been sent to the *Tower* if he had not retracted, and promised never more to offend in like manner. Parliament (instead of opposing the *Scots*) voted them 300,000 *l.* in reward for their brotherly assistance, and prolonged the treaty with them till the triennial bill was passed, and more of the grievances redressed, 1641, the very contrary of the tyrant's hopes, and a treaty was made with the *Scots* for securing and restoring their liberties ^a.

‘Had the *Scots* been as tame as the *English*, for ought that appears, *Charles I.* might have avoided calling a parliament as long as he lived ^b.’

The approach of the *Scotch* army was the cause of the king's calling a parliament; and their presence kept the king in awe. ‘We cannot do without the *Scots*,’ said *Strode* in the house ^c.

‘We, the lords and commons assembled, in the parliament of *England*, considering with what wisdom and public affection our brethren of the kingdom of *Scotland* did concur with the endeavours of this parliament, in procuring and establishing a firm peace and amity between the two nations, and how lovingly they have since invited us to a nearer and higher degree of union,——cannot doubt but they will with as much forwardness and affection, concur with us in settling peace in this kingdom, and preserving it in their own, that so we may mutually reap the benefit of that amity and alliance so happily made, and strongly confirmed between the two nations, &c. Wherefore

^a *Rap.* II. 365.

^b *HIST. ESS. ENGL. CONST.* p. 101.

^c *Hume, HIST. STUARTS*, I. 252.

‘ Wherefore we have thought good to make known to
‘ our brethren, &c.’ Parliament’s declaration to the
Scots, November 1642. The *Scots* in those days, when
the spirit of liberty ran highest, were always called by
the parliament, our brethren; not as now, the slavish,
beggarly, itchy, thieving *Scots*^a.

‘ By the assistance of the *Scotch* nation, reality was
‘ given to those schemes of government, which had
‘ long been the ardent wish of the generous part of the
‘ *English*^b.’

It is certain that *Scotland* began the solemn league
against the tyranny of *Charles*, and that *England* and
Ireland came into it after^c.

The solemn league and covenant, *A. D.* 1638, was
occasioned by the king’s attempt to introduce the li-
turgy in *Scotland*; it contained an engagement to support
religion, as it was established in 1580; all, *Scotland*, but
the court, subscribed it^d. The malcontents were
reckoned 1000 to one. The *Scots* shewed twice the
spirit the *English* shewed against the king’s innovations.
They brought him to make proposals. Not being con-
tent with the proposals, they protest publicly against
his declaration, in which they positively insist on a
general assembly and parliament, that they were not
guilty, as pretended by the king of any unlawful com-
bination or rebellion; that the king, did not disallow
nor discharge any of the innovations complained of,
&c. They tell the commissioner that if the king re-
fuses to call a general assembly, they will call one them-
selves^e. They reject eleven propositions from the
king.

^a PARL. HIST. XII. 31.

^b Macaul. HIST. V. 384.

^c PARL. HIST. XVI. 18.

^d Rap. II. 303.

^e Ibid. 305.

king. He reduces them to two. They reject them. An assembly is called. The commissioner orders them to break up. They sit by their own authority. It is therefore unjust to blame them as if their whole motive for resisting the king had been the support of presbyterianism. They meant liberty as much as the *English* did. It was as much a point with them not to receive the liturgy, when forced upon them, as with the *English* not to receive popery. It was the very wantonness of tyranny to impose the liturgy upon them, because they could do without it. They made almost twenty acts directly opposite to the king's intention^a. Among others, an act condemning the clergy's holding civil offices, as of justices, &c. and sitting and voting in parliament. They boldly annulled (says *Rapin*) things established by parliament.

The king raises an army in *England* to suppress the *Scots*. Pretends (in order to prevail with the *English* to go to war against the *Scots*) that the *Scots* were going to invade *England*. And the deluded king-ridden *English* rise at the call of the tyrant, to crush the spirit of liberty in their brave brethren of *Scotland*. The *Scots* publish papers in *England*, calling on the *English* to bestir themselves against the tyranny, instead of taking part with it. And they order their forces not to approach within ten miles of the borders, which, overthrows the king's pretence of their intending an invasion. The *Scots* intimidated suddenly, send to the king in his camp, offering proposals of peace, which, however, make the king's pretences of the rebellious spirit of the *Scots*, and their intended invasion, appear very ridiculous^b. A peace is patched up, on very precarious terms^c. A new assembly. They make

^a *Rap.* 307.^b *Ibid.* II. 309.^c *Ibid.* 311.

make several acts directly opposite to the king's intentions. A parliament. They do the same, 1639. Thus the wings of prerogative were very close cut in *Scotland*; which demonstrates that the *Scots* valued civil liberty as well as religious. See the titles of those free acts^a. The king accordingly prorogues them suddenly. They protest against the prorogation. The king published his pretence for breaking the late peace with the *Scots*. The real reason was, their opposition to his tyranny. The king makes a mighty noise about a letter said to have been sent to the *French* king, by the malcontents for his assistance^b.

Among other things, the popular leaders were encouraged by the example of the *Scotch*, 'whose encroachments had totally subverted monarchy^c.' All this ought to give our northern brethren great honour in the estimation of the friends of *liberty*. Instead of which we have seen some, whose pretences to that character have been very loud, setting themselves at the head of the disparagers of that people; how consistently, let themselves explain, if they can.

Charles I. lost all his power in *Scotland*, long before his authority in *England* was annihilated. 'The *Scots* now considered themselves as a republic, and made no account of the authority of their prince,' says *Mr. Hume*^d.

It is true, *Mrs. Macaulay* insists, that the *Scots*, by their interposition in the time of *Charles I.* meant chiefly the establishment of presbyterianism. So *Mr. Hume* thinks, the *English*, in their struggle for liberty, meant chiefly religious liberty^e.

VOL. III.

A a

Whatever

^a *Rap.* 312.

^b *Ibid.* 314.

^c *Hume, Hist. STUARTS*, I. 292.

^d *Ibid.* I. 291.

^e *Ibid.* I. 254.

Whatever our modern patriots may think, it is certain, that our wise ancestors in all ages had thought the union between the two kingdoms a matter of great advantage for *England*.

The union of the two kingdoms was proposed so long ago, as *Edward I*'s last parliament at *Carlisle*. A. D. 1307^a.

The union between the kingdoms was attempted by *Henry VIII.* by *Edward VI.* though *England* had lately conquered a great part of *Scotland*. Repeatedly by *James I.* in whose time several articles were agreed on. No mention of it under *Charles I.* He wanted rather to conquer both kingdoms, than unite them. There was a strong confederacy between the kingdoms during the civil wars. After the battle of *Worcester*, commissioners were appointed by parliament. All *Scotland* was then for the union. *Cromwell*'s turning out the parliament, prevented its establishment. *Cromwell*'s scheme for a general parliament of the three kingdoms was in fact an union; and *Cromwell*, April 12th, 1654, published an ordinance for uniting *England* and *Scotland*, by which wards, services, and slavish tenures were taken away. They were restored at the restoration, to the great damage of the country. Under *Charles II.* the *Scotch* make overtures towards union. Difficulties were started by lawyers, particularly that the constitution would be altered, and that it was treason to attempt altering the constitution by 8 *Jac.* VI. Thus the *Scotch* first moved this treaty, and first broke it off. Under *James II.* nothing was done. The times too busy, and too turbulent for union. *William* afterwards recommended it; but it could not be brought about till

^a PARL. HIST. I. 146.

till Queen *Anne's* time. And now some patriots want to have it broken again. It was thought necessary to abolish the *Scotch* parliament, because two parliaments would be always battling it, and the *Scots* would demolish the union whenever they pleased, and the intention was, 'a lasting and incorporating union, 'that should put an end to all *distinctions*, and unite 'all interests.' Queen *Anne* was so earnest about it, that she went twice to the meeting of the committee, to see how they went on, and to press the execution. 'An union of the two kingdoms has been long wished 'for, being so necessary for establishing the lasting peace, 'happiness and prosperity of both nations.' Commissioners words. Queen's answer. 'I shall always look 'upon it as a particular happiness if the union, which 'will be so great a security to both kingdoms, can be 'accomplished in my reign^a.'

I believe most impartial men have blamed the conduct of *England* in the affair of the *Darien* colony, and think we owe the *Scots* a good turn toward making up for our ill usage of them on that occasion, I do not say, the *injury* we did them, because I write with *healing* views.

The question was put concerning the *Darien* colony, in the house of peers, *A. D.* 1698. Several lords protested against severe proceedings, because there was not time enough to judge of the merits of the cause. The house, however, addressed the king against it, because it was likely to be hurtful to the *English* plantation-trade, and to break the good correspondence between *Spain* and *England*. [Therefore *England* was to do an unjust thing.] They acknowledged, that the case of the *Scots* was pitiable; for that they must be great losers by being

A a 2

^a *Tind.* CONTIN. I. 734, 739, 740, 741:

ing disappointed of the advantage they proposed, and by the loss of the great sum they had laid out. They wish [kind souls!] that the *Scots* may desist, because they will only be greater losers in the end. They put the king in mind, that there had been a former address to him, which shewed the sense of the nation. [The nation did not certainly approve of the *Scotch* nation's becoming considerable in commerce. Neither did the *Dutch* approve of the *English* settlement at *Amboyna*.] This address, however, was carried by only four or five votes; and sixteen lords protested against it, and the commons refused to concur with it. The king very humanely took notice, in his answer, of the hardship to which the *Scots* were to be reduced by this opposition from *England*, and of the clashing of interests, which would probably continue, while the two kingdoms remained separate, and again recommends to them the union. Steps were accordingly taken toward it; but nothing done effectually^a.

Queen *Anne*, in her first speech, ' had renewed the
' motion made by the late king, for the union of both
' kingdoms. Many of those who seemed now (*A. D.*
' 1702,) to have the greatest share of her favour and
' confidence, opposed it with much heat, and not
' without indecent reflections on the *Scotch* nation. Yet
' it was carried by a great majority, that the queen
' should be empowered to name commissioners for
' treating of an union. It was so visibly the interest
' of *England*, and of the present government, to shut
' the back door against the practices of *France*, and the
' attempts of the pretended prince of *Wales*, that the
' opposition made to this first step towards an union,
' and the indecent scorn, with which *Seymour* and
' others treated the *Scots*, were clear indications, that
' the

^a *DEB. PEERS*, II. 8.

‘ the posts they were brought into, had not changed
 ‘ their tempers ; but that, instead of healing matters,
 ‘ they intended to irritate them farther by their re-
 ‘ proachful speeches. The bill went through both
 ‘ houses, notwithstanding the rough treatment it met
 ‘ with at first.’

‘ It is with the greatest satisfaction, that I have given
 ‘ my assent to a bill for uniting *England* and *Scotiana*
 ‘ into one kingdom. I consider this union as a matter
 ‘ of the greatest importance to the wealth, strength,
 ‘ and safety of the whole island, and at the same time
 ‘ as a work of so much difficulty and nicety in its own
 ‘ nature, that, till now, all attempts, which have been
 ‘ made toward it in the course of above a hundred
 ‘ years, have proved ineffectual, and therefore I make
 ‘ no doubt, but it will be remembered, and spoken of
 ‘ hereafter to the honour of those who have been in-
 ‘ strumental in bringing it to such a happy conclusion.
 ‘ I desire and expect from all my subjects of both na-
 ‘ tions, that from henceforth they act with all possible
 ‘ respect and kindness to one another ; that so it may
 ‘ appear to all the world, they have hearts disposed to
 ‘ become one people. This will be a great pleasure
 ‘ to me, and will make us all quickly sensible of the
 ‘ good effect of this union^a.’

The lords and commons answer, ‘ That they thank
 ‘ her Majesty for her gracious approbation of the share
 ‘ they had in bringing the treaty of union between the
 ‘ two kingdoms to a happy conclusion ; a work which
 ‘ (after so many fruitless endeavours) seems designed by
 ‘ Providence to add new lustre to the glories of her ma-
 ‘ jesty’s reign^b.’ And see another speech and answer, to
 the same purpose^c.

A a 3

In

^a Queen *Anne*’s SPEECH TO PARL. A. D. 1706.

^b DEB. COM. IV. 59.

^c Ibid. 70, 72, 73.

In the year 1714, a virulent pamphlet was complained of in the house of peers, exclaiming against the union as very advantageous to *Scotland*, and the contrary to *England*. The printer was taken into custody of the black rod. Said, he had the MS. from *Barber's*, printer of the Gazette and Votes of the Commons. *Barber* would answer no questions tending to strengthen the charge against himself. Lord *Oxford* was suspected for the author. A peer [anonymous] said, They had nothing to do with the printer or publisher; but that it highly imported the house to find the author, in order to do justice to the *Scotch* nation. *Barber* and *Morpheus* were thereupon enlarged from the custody of the black rod. The house of peers address the Queen, and observe, 'That the pamphlet was highly dishonourable and 'scandalous to her subjects of *Scotland*,' &c. They take notice, that the Queen had often 'been pleased to 'declare from the throne, that the union of the two 'kingdoms is the peculiar happiness of her reign.' They humbly request the Queen to publish her royal proclamation, with reward and promise of pardon to accomplices, in order to the discovering of the author. This was accordingly done, and a reward of 300*l.* proposed ^a.

Small, member for *Gloucester*, obliged to ask pardon of the house, for reflecting on the *Scotch* nation, *A. D.* 1716, just after the rebellion ^b. Our incendiary writers reflect on them immediately after a glorious war, which, (if Lord *Chatham* is to be believed,) we could not have carried on without them ^c.

There has been a great outcry made by some, about the supposed mischief which has been the
con-

^a DEB. PEERS, II. 404.

^b *Tind.* CONTIN. I. 495,

^c *Ibid.*

consequence of the union. ‘*North Britain* sends (they observe,) sixty-one members to both houses. They are particularly obnoxious to court-influence. They are, therefore, a dead weight on every vote for liberty and the public good,’ &c. But suppose it were true, that all the members for *North Britain* have always voted on the court-side, (the contrary of which may be easily seen by turning over the debates,) what are 61 to 800? The *Scotch* members are but a thirteenth part of the whole legislature. Let the *English* members on all occasions vote for their country’s good, and leave the *Scotch* to stand by the court alone. This will more effectually expose them, than writing ten thousand incendiary papers against them. And if I live to see all the *English* members of both houses, without exception, vote for those restorations of the constitution, which are necessary for its preservation, (viz. annual parliaments, with exclusion by rotation, &c.) while all the *Scotch* members unite in opposing those salutary measures, and are not reprov’d by their constituents; I will give up the *North Britons* for a nation of slaves, and will be the first to propose that they be deprived of all share in the legislature of the united kingdoms. But, so long as I observe some *Scotch* members, as well as some *English*, voting against the interest of their country, I cannot, in conscience, single out the former as alone guilty; nor can I look upon those who are thus grossly partial, in any other light than that of a set of shameless and determined mischief-makers.

The Earl of *Findlater* laid the *Scotch* grievances before the house of peers, *A. D.* 1713, viz. Their being deprived, since the union, of a privy-council. The laws of *England*, in cases of treason, extended to *Scotland*.

land. *Scotch* peers, made *British* peers, not allowed to sit in the house of peers, as *Englishmen* made peers. The malt-tax, which fell very unequally upon *Scotland*, because *Scotch* malt was not worth a third part of the price of *English*, and yet was to pay the same tax. Besides, it was said to be a violation of the XIVth article of union. He moves, that, as the effects of the union had not answered expectation, it might be dissolved again. The Duke of *Argyle* seconds him. They were opposed by Lord *North* and *Grey*, and others. Lord *Oxford* said, he did not see how the union could be dissolved, because the *Scotch* parliament which had made it with the *English*, was now no more. Lord *Nottingham* answered, that the *Scotch* parliament was included in the *British*; and that the *British* parliament could do any thing, but destroy the constitution. *Sunderland*, *Townshend*, and *Halifax*, were all for dissolving. Several *Scotch* lords said, If the union was not dissolved, their country would be the most miserable under heaven. Carried against dissolving by only four voices ^a.

The Earl of *Rochester* thought the disgrace of the *Scotch* peers losing their birth-right after the union, and being reduced to representation by a few in the legislative assembly, instead of sitting of course, as the *English*, was so great, that he declared in the house of peers, he wondered they should ever submit to it ^b.

‘If *Scotland* [when united to *England*] sends fewer representatives to parliament than *England*, the former is enslaved to *England*,’ says *Harrington*^c. Therefore he was rather for having *England* and *Scotland* confederated

^a DEB. PEERS, II. 313.

^b Ibid. II. 174.

^c *Harringt.* OCEANA, 518.

federated in the manner of the States of *Holland*, than united by an incorporating union.

‘ If *Scotland* be a gainer [by the union] in some particulars, we [of *England*] are infinitely recompensed by the many advantages accruing to us upon the whole.’ Lord *Halifax* on the union ^a.

At the union, it was agreed, that *Scotland* should have 398,085*l.* equivalent-money, in consideration of *England*’s being in debt, and partly to make up for the *Darian* loss. But Lord *Nottingham* justly observed, that the money would not come into the hands of the individuals who were the losers; but would be swallowed up by a few ^b.

‘ We are now,’ says Lord *Bolingbroke* ^c, [since the union,] ‘ one nation under one government, and must therefore always have one common interest: the same friends, the same foes, the same principles of security and of danger. It is by consequence now in our power to take the entire advantage of our situation; an advantage which would make us ample amends for several which we want; and which some of our neighbours possess; an advantage which constantly attended to, and wisely improved, would place the ‘ *British* nation in such circumstances of happiness and glory, as the greatest empires could never boast. Far from being alarmed at every motion on the continent; far from being oppressed for the support of foreign schemes; we might enjoy the securest peace and most unenvied plenty. Far from courting or purchasing the alliances of other nations, we might see them suing favours. Far from being hated or despised for involving ourselves in all the little wrangles of the continent,

^a DEB. PEERS, II. 173.

^b Ibid.

^c *Bolingbr. REM. HIST. ENGL.* 195.

‘ nent, we might be respected by all those who maintain the just balance of *Europe*, and be formidable to those alone who should endeavour to break it.’

Sir *Edward Coke* (no *Scotchman*) observes^a, how marvellous a conformity there was, not only in the religion and language of the two nations, but also in their ancient laws, the descent of the crown, their parliaments, their titles of nobility, their officers of state, and of justice, their writs, their customs, and even the language of their laws. So that in attacking the *Scots* we reflect on the *English*^b.

It is one of the articles of the union, (of which the *English* were more desirous than the *Scots*) that there shall be a communication of all rights and privileges between the subjects of both kingdoms, except where it is otherwise excepted. But there was no exception against any *Scotch* nobleman’s being employed by the king. Yet they who set up and kept up the late clamour, openly avowed their dislike to a particular nobleman, merely because he was a *Scotchman*.

Montesquieu calls it an admirable contrivance of the *Tartars*, the conquerors of *China*, that they have incorporated *Chinese* and *Tartars* together, in their civil and military establishment. It unites, he says, the two nations, it keeps up a spirit and power in both, and one is not swallowed up by the other, &c.^c Some far-sighted politicians among us, are against allowing our united brethren of *North Britain* the privileges, which *Montesquieu* thinks a victorious nation ought to grant a conquered people. He says^d, *England* was not arrived at her highest relative greatness, till the union.

‘ Exclusive

^a 4 INST. 345.

^b *Blackst.* COMM. I. 95.

^c L’ESPR. DES LOIX, I. 235.

^d *Ibid.* I. 125.

‘ Exclusive of other motives,’ says the author of a LETTER TO LORD TEMPLE, p. 31, [for the union between *England* and *Scotland*,] ‘ we see present experience, and the like causes interfere. And the event having taken place, all measures for producing that likeness and cordiality, which is the strongest political band, should be pursued by every honest man; and to this we are warmly admonished by the example of *Rome*, where the want of affection between the new and old citizens, threw the weight of the former into the scale of every corrupt party that arose in the state, and attached them not to their country, but to a *Marius*, a *Cinna*, a *Cæsar*.’ The same author goes on to shew, that irritating the people of *North Britain* tends to make them either unserviceable friends or resolved enemies. He shews how hurtful their hostility has been, and may be again to *England*, by joining with *France*. He then touches, but in a humane and gentleman-like manner, upon the national failings of our northern brethren, (we are not ourselves without failings) who emerged into light, and knowledge, and liberal sentiment, later than *England*, and may therefore be supposed a little backwarder in political knowledge. ‘ As I write,’ says he, ‘ without any design of lowering that brave and prudent people in the estimation of their neighbours, and my strictures being on their government, not on individuals, I hope I shall stand acquitted in endeavouring to remove prejudices against any systems which may promote that assimilation with *England*, for which I have contended. Let *Scotland* discern, acknowledge, and imitate, where *England* is confessedly her superior. It derogates not from the merit of any single person to make the concession. For it is time, circumstances, and situation, that have conferred

‘ferred the superiority. Let not *England* value herself too much upon this accidental superiority, nor despise her northern fellow-subjects for being inferior as a people, whilst, as individuals, they are incontestably their equals; and let them consider, that the less merit they allow the *Scotch*, the more it is to be expected, that they, as a brave and spirited nation, should insist on^a.’

To this natural principle of resistance to injury, ought, in common candour, to be ascribed the proceeding of the people of *North Britain*, in sending up addresses of a spirit and tendency contrary to those of the remonstrances presented by a vast multitude of the people of *England*. The *North Britons* are farther from being slaves in their disposition, than any people in the world, if those of *South Britain* be excepted; but they saw, or thought they saw, a very unjustifiable spirit of national prejudice, acting in many of those concerned in the remonstrances; and they thought themselves obliged to oppose them on this very account. And this is the only public step they have taken on the occasion; while the scatterers of firebrands, arrows, and death, whose unpatriotic and diabolical labour has been to divide the united kingdom, by reviving the long-buried animosity between those whom nature and interest direct to cultivate peace and unanimity; have been but too much countenanced by many unthinking and narrow-minded people on this side the *Tweed*. It must be confessed, that the late remonstrances were, to say the least, founded on a narrow bottom, and were in their tendency but frivolous. Had they been what they ought; had they proposed steps toward

^a Ibid. p. 45.

toward the restoration of independency to parliament, which will effectually secure, and which only can secure the redress of all internal abuses in administration; had this been done, and had any community in *North*, or *South Britain*, addressed on the contrary side, I should not have hesitated to declare my opinion of such community to be, That they were traitors to their country, and the bribed slaves of a designing ministry.

Lord *Clarendon*, in his speech on *James II.*'s abdication, lays great stress on the bad consequences of the possibility of a rupture with *Scotland*. Which shews, that the people of *England* had, in those days, some regard for their northern brethren. 'I hope, Gentlemen, says he ' you will take into your consideration what is ' to become of the kingdom of *Scotland*, if they should ' differ from us in this point. Then will that kingdom be again divided from ours. You cannot but ' remember how much trouble it gave our ancestors, ' while it continued a divided kingdom. And if we ' should go out of the line, and invert the succession in ' any point, I fear you will find a disagreement there, and ' then very dangerous consequences may ensue^a.' It so happened, however, that the *Scots* were of the same mind with the *English* in this point. See ' *Declaration of the Estates of Scotland concerning the misgovernment of James VII, and filling up the throne with King William and Queen Mary^b*, ' in which all his irregular proceedings are condemned with as little reserve by the *Scots* as the *English*.

On occasion of *Porteous's* affair, *A. D.* 1737, it was thought necessary to send for the *Scotch* judges. A long debate arose in the house of peers, about the honours

^a *DEB. COM.* 11. 241.

Ibid.

nours to be shewn them in the house. One lord, not named ^a, insists on their being received in the same manner as the *English* judges, and placed on the woolfacks, &c. ‘The Scots,’ says he, p. 182, ‘have a right to claim, that the same honours, the same respect, may be shewn by this house to the judges of *Scotland* as are shewn to the judges of *England*, excepting only, that a preference is to be allowed to the latter with respect to their ranks or degrees.’ And afterwards, p. 183, ‘This is the first time it has ever been thought necessary to ask the *Scotch* judges any questions; and if your lordships now oblige them to attend, I hope you will shew them the same honours, the same respect you would shew the judges of any of the courts of *Westminster-hall*, if they should be ordered to attend for the like purpose.’ And again, p. 184, ‘The right now in dispute before your lordships, is not the right of a private man, nor is it a right of a private nature; it is the right of a whole people, it is the right of a nation once free and independent; and it is a right stipulated by one of the most public and most solemn contracts that was ever made; a contract, which, on our parts, we are obliged to observe and fulfil with the greatest nicety, because the people of *Scotland* trusted entirely to our honour for a faithful performance; a submitting to be governed by one and the same parliament, in which they knew we would always have a great majority, was really, in effect, submitting every thing to our honour; and I hope, they shall never have the least occasion to repent of the confidence they have reposed in us. For this reason, in all cases where the rights or the privileges of the people of *Scotland*, by virtue of the

‘ articles

‘ articles of union, come to be questioned, I shall al-
‘ ways have a strong bias in their favour, especially
‘ when the matter in question relates to a piece of cere-
‘ mony. But in the present case I must think, there
‘ can be properly no question; for whether the judges
‘ of *Scotland* ought to be in this house as assistants to
‘ give their opinions upon such matters of law, as may
‘ arise in the course of our proceedings, in the same
‘ manner as the judges of *England* do, is a question, I
‘ think, determined not only by the articles of union,
‘ but by the very nature of the thing itself; because,
‘ while *Scotland* continues to be governed by laws dif-
‘ ferent from *England*, it will be impossible for us to
‘ do our duty without such assistance. My lords, as
‘ nothing contributed more than the union between the
‘ two kingdoms, towards the securing the protestant
‘ succession in the present illustrious family, so there is
‘ nothing can contribute more to the preservation of
‘ that succession, than the rendering that union every
‘ day more firm and unalterable; which can no way be
‘ done more effectually than by cementing the people
‘ by an union in hearts and affections, as well as an
‘ union established by law. While we have such a
‘ majority in both houses of parliament, the people of
‘ *Scotland* will always find it impossible to break
‘ through, or dissolve the legal union which subsists
‘ between us; but if we should ever make use of that
‘ majority, which I hope we never shall, to break
‘ through, or encroach upon those articles, which have
‘ been stipulated between us, then the legal union
‘ will be of little force, it will only serve to make
‘ them desperate, and to run the risk even of their
‘ own perdition, in order to rid themselves of the yoke
‘ they groan under. They will be apt to ascribe to the
‘ present royal family all the ills they feel, or imagine
‘ they

‘ they feel; and if they should unanimously join in a
‘ contrary interest, we know they would be supported
‘ by a numerous party in this part of the island, as well
‘ as by a powerful party beyond seas; for which reason
‘ we ought to take all possible care, not to give them
‘ any just ground of complaint; we ought even to
‘ avoid a measure which may be made use of by the
‘ enemies of government for sowing discontent and
‘ disaffection in that part of the island.’ And again,
p. 186, ‘ As I am not of that country, [*Scotland*,] I
‘ have spoken with the more freedom in this debate,
‘ because I think I cannot be suspected of prejudice or
‘ partiality. If I have any, I confess it is upon that
‘ side, on which I think my own honour, and the ho-
‘ nour of my country most deeply concerned, which I
‘ take to be in a most exact observance, not only of the
‘ words, but of the spirit and intention of the articles
‘ of union. We contracted together as nations quite
‘ independent of one another, and by the whole
‘ tenor of the contract it appears, that the subjects of
‘ both kingdoms are intitled to equal honours, privi-
‘ leges, and advantages. We have no pretence to any
‘ pre-eminence, but only that those of any rank in *Eng-
‘ land*, shall have precedence of those of the same rank in
‘ *Scotland*. This they have always, since the union,
‘ allowed us, and I hope we shall never dispute con-
‘ ferring upon any gentleman of rank in *Scotland* these
‘ marks of honour or respect, which are bestowed upon
‘ gentlemen of the same rank in *England*.’

Mr. *Hume* has remarked, that the hatred between
France and *England*, subsists more on the part of the
latter than the former. And I think it must be ac-
knowledged, that in the quarrel between *England* and
Scotland, the *English* have often, especially of late,
shewn the greatest inveteracy of the two. A narrow-
ness

ness against strangers is indeed the only national disposition we could wish altered in the *English*. It has sometimes happened that *England* has suffered by this narrowness. As in the case of the rupture between the two nations, when *Cromwell* was made general gainst the *Scots*. Had the *English* treated their northern brethren with the generosity they shew to one another, the war had never happened. A very short time before, there was the strictest amity possible between the two kingdoms. But that being interrupted, by unjustifiable conduct on the side of the *English*, (see the historians of those times) and war between the two kingdoms following, General *Fairfax* declined the command, fairly declaring that he thought the war against *Scotland* unjust. On this *Cromwell* (whose conscience was not so rigid as *Fairfax's*) was employed. He was successful; gained honour; came into high power; and at last overset the glorious scheme of a republic, which, but for him, would probably have been established in this country.

But after all I have said with a view to suggest the necessity of correcting the narrowness of the *English* to strangers, and even to their northern brethren, let me add, That their incorporating the *Scots*, whom they had conquered at the battle of *Worcester*, and their giving them such advantageous terms at the union, notwithstanding their strong attachment at that time to what are called Tory principles, are proofs of great magnanimity in the people of *England*.

To pretend that a native of *North Britain* has not a right to hold the place of secretary of state, or any other of the great offices, would be to assert, that there ought to be a peculiar mark of disgrace put upon the northern inhabitants of the united island, to place them in a worse condition than those of *Ireland* or the Colonies; in short, to make them Helotes, slaves,

hewers of wood, and drawers of water. If there be any reason for this disadvantageous distinction, it ought to be produced.

‘ If the *Scots* had a spark of spirit or of love of their country left, if they were worthy of being admitted to the honour of an union with this great and illustrious nation, they ought, every man of them, to submit their throats to the sword of the *English*, rather than suffer the oppression, the injustice, the indignity, the ingratitude of such a doctrine prevailing against them, that their country is held so infamous, so accursed of God and man, that it is not entitled to the same chance with the *English*, of a promiscuous election of its natives to civil and military posts ^a.’

This silly narrowness has, in all times, been a prejudice and not an advantage. Time was when every little town insisted on monopolizing its own manufacture. *Bridport*, in the time of *Henry VIII.* petitioned and (such was the ignorance of the legislature) obtained an act prohibiting the making of ropes any where out of *Bridport*; and the towns of *Worcester*, *Evesham*, *Droitwich*, &c. the same for the woollen manufacture ^b. Has not *England* improved more since these restraints were removed, than while they took place?

Partiality for our own country, and contempt of others, arise from a disposition as thoroughly despicable as the same partiality in an individual in favour of himself. How much more magnanimous does the modesty of *Horace* appear, when he advises the *Roman* writers to study the *Greek* models, than if he had preferred those of his own country?

— Vos

^a LOND. MAG. October 1774. p. 524.

^b Andersf. HIST. COM. I. 359, 363.

— Vos exemplaria Græca

Nocturnâ versate manu, versate diurnâ.

How graceful is *Cicero's* (even the vain *Cicero's*) acknowledgment of the superiority of the *Gauls* to his countrymen in bodily strength, of the *Carthaginians* in cunning, and of *Greece* in the arts? And when *Virgil* owns, that other countries may produce abler orators and artists than those of *Rome*,

Excudent alii sperantia, &c.

do we not esteem his candour much more than if he had set his country above all others? It is, in short, always to be concluded, that he who disparages other countries, is both conceited and ignorant. He overpraises his own country because it is his; and he despises other countries, because he does not know them. Accordingly national prejudice appears always strongest in the vulgar.

‘*Operæ pretium foret, &c.* It would be worth while
‘to recite the tragical proceedings which our national
‘inhospitality of disposition, and our hatred and con-
‘tempt of strangers, have produced, as well in the reigns
‘of King *John*, *Henry*, *Edward II.* *Henry VI.* as
‘lately, that we may hereafter extinguish this infamy,
‘and now that we are enlightened with the beams of
‘a better religion, we may behave ourselves with more
‘humanity to strangers^a.’

‘*Anglis ut plurimum, &c.* The *English* in general
‘admire themselves, their national manners, genius,
‘and courage, above all others. This disposition oc-
‘casions such a bluntness in the behaviour of those of
‘them who have not travelled, that, in speaking and
‘writing, they disdain to use the common terms of
‘politeness, as thinking them too slavish^b.’

B b 2

Even

^a *Lambard. DE MORIB. ANGL. 107.*

^b *Johan. Barcl. DE MORIB. ANGL. 98.*

Even the *Spaniards*, though famous for their narrow and suspicious temper, observing the depopulation of their country by the expulsion of the *Moors* and *Jews*, invited all foreign manufacturers and farmers of the Roman catholic religion to come and settle in *Spain*, offering them perpetual immunity from taxes ^a.

The states of *Holland* and *West Friseland*, in their decree for establishing their liberty, after observing, that they have remained unsubdued either by internal or external force for 800 years, assert, that this is singly owing to a constant harmony among themselves.

By 4 *James* I. c. 1. the laws of hostility between *England* and *Scotland* are utterly repealed, ‘seeing all
‘enmity and hostility of former times between the two
‘kingdoms and people is now happily taken away, and
‘under the government of his Majesty, as under one parent and head, turned into brotherly friendship ^b,’ &c.

May it not be, with justice, affirmed, that though the *English*, ‘take them for all in all, as *Hamlet* says,
‘are such a people that we can no where look upon
‘their like,’ yet they would be improved by a little *French* politeness, a little *German* steadiness, a little *Dutch* frugality, and a little *Scotch* education? In other words, Are we not too rough in our manners, too impatient under adversity, too prone to luxury and pleasure, too much attached to money, and too negligent of the improvement of the mind?

Let us hear Lord *Lyttelton* ^c on the subject.

‘*England* has secured by the union every public
‘blessing which was before enjoyed by her, and has
‘greatly augmented her strength. The martial spirit
‘of

^a *De Laet* HISP. DESCR. 105.

^b STAT. AT LARGE, II. 397.

^c Lord *Lyttelton*’s Works, p. 503.

‘ of the *Scots*, their hardy bodies, their acute and vi-
 ‘ gorous minds, their industry, their activity, are now
 ‘ employed to the benefit of the whole island. He is
 ‘ now a bad *Scotchman* who is not a good *Englishman*,
 ‘ and he is a bad *Englishman* who is not a good *Scotch-*
 ‘ *man*.’ And ‘ To resist the union is to rebel against
 ‘ nature.—She has joined the two countries, has
 ‘ fenced them both with the sea against the invasion
 ‘ of all other nations ; but has laid them entirely open
 ‘ the one to the other. Accursed be he who endea-
 ‘ vours to divide them.—What God has joined, let
 ‘ no man put asunder^a.’

The justice of the late accusation against our nor-
 thern brethren as if not sufficiently attached to liberty,
 will appear from the following paragraphs :

The president *Bradshaw*, before passing sentence on
Charles I. observed, that many kings had been, for
 misgovernment, deposed and imprisoned by their sub-
 jects ; and particularly that in *Scotland* of 109 kings,
 the greatest part were proceeded against, deposed, or
 imprisoned, particularly *Charles’s* grandmother^b.

Scotland had trial by juries of 9, 11, 13, 15, or more,
 men of known character, as early as *A. D.* 840^c.

‘ *Scotland*, through all ages till the battle of *Wor-*
 ‘ *cester*, maintained her independency against the force
 ‘ and fraud of the *English* and *French* monarchies^d.’

‘ I must take leave to put the representatives of this
 ‘ nation [*Scotland*] in mind, that no monarchy in *Eu-*
 ‘ *rope* was, before the union of the crowns, more li-
 ‘ mited,

B b 3

^a Lord *Lyttelton’s* Works, p. 504.

^b *Whitelock’s* MEM. 368.

^c King *Kenneth’s* LAWS, *Spelm.* CONCIL. I. 341.

^d *Macaul.* HIST. v. 76.

‘ mited, nor any people more jealous of their liberties ^a.’

‘ These principles [of arbitrary power] were first introduced among us [the Scots] after the union of the crowns, and the prerogative extended to the ruin of the constitution, chiefly by the prelatical party ^b.’

No legate from the pope ever entered *Scotland* ^c.

It is well known, that in the time of Queen *Elizabeth* the flame of liberty burnt very dim in *England*. Yet in those very times, ‘ the *Scotch* commissioners at *London* presented memorials, containing reasons for deposing their queen, and seconded their arguments with examples drawn from the *Scotch* history, the authority of laws, and the sentiments of the most famous divines. The lofty ideas which *Elizabeth* had entertained of the absolute indefeasible right of sovereigns, occasioned her being shocked at these republican topics ^d.’

James I. complained sadly of the fauciness of his *Scotch* subjects, and expected to do what he pleased when he came to *England*. The *Scots* had murmured, and actually taken up arms, when the king or his ministers did not govern to their mind. They had dethroned his mother, and put him in her place, during her life : Therefore they considered him as dependent on them. *James* was infatuated with the notions of absolute power.

Their steady resistance against the foolish and tyrannical fancy of *James* I. and *Charles* I. of imposing upon them

^a *Fletcher's* speech in the *Scotch* parliament, *A. D.* 1703, p. 277.

^b *Ibid.* 278.

^c *MOD. UNIV. HIST.* xxv. 474.

^d *Hume, HIST. TUD.* II. 520.

them the liturgy, shews a spirit very far from slavish^a. When the Marquis of *Hamilton*, by the king's orders, asked them what would satisfy them, they answered, Nothing but a parliament and general assembly, which they would call of their own authority, without waiting for the king's; and that they would as soon renounce their baptism, as the covenant^b. I wish we saw such a spirit in *England* on a proper occasion. 'This was the fountain from whence our ensuing troubles did spring,' says *Whitelocke*^c. So that the resistance, which in the end overthrew the tyranny of *Charles I.* took its rise in *Scotland*.

A *Scotch* gentleman, who came into *England* with king *James I.* observing how the *English* flattered him, said, Thir foulke wull spull a gude keeng.

There was more sense in the *Scots* pinning down *Charles II.* too much (if too much could be) at his arrival in that country, than in the *English* leaving him too much at large at the Restoration. Does not this shew that the *Scots* are not enemies to liberty more than the *English*?

The city of *Edinburgh* had from King *William* a grant of its guard of 300 men, 'on account of the laudable zeal they discovered, when religion and liberty were at stake^d.'

The people of *Scotland* shewed themselves friends to liberty in the year 1760^e; elected a Peer last vacancy, *A. D.* 1770, in direct opposition to the court, which

B b 4

had,

^a See *Whitel.* MEM. 25. ^b Ibid. 26. ^c Ibid. 27.

^d DEB. PEERS, v. 205.

^e See the *Edinburgh* instructions, and sense of the royal burghs, in favour of a militia in *Scotland*. LOND. MAG. Apr. 1760, p. 194.

had, as always, the modesty to interpose on that occasion^a.

If *James I.* and his son *Charles I.* and *James II.* had read *Buchanan's* works, they might have lived and died in peace. There they would have learned, that kings are the protectors not masters of their kingdoms; that a kingdom is a stewardship, not an estate. That if princes were republicans, subjects would be royalists; and that the more authority princes challenge, the less free subjects will grant, and contrarywise.

What country has produced more strenuous advocates for liberty than *Buchanan* and *Fletcher*? *Bishop Burnet* was a very active promoter of the Revolution, as well as an able writer on the side of liberty. The late earl of *Stair* was turned out of all his employments by *Walpole*, on account of his free principles. The great duke of *Argyle* was a constant champion in parliament against all the enslaving measures of his times. And in the year 1741, 'the approaching session' (says *Tindal*^b) 'being the last of the parliament, great efforts were made to have one returned which should be against the minister. Though these endeavours were general all over the kingdom, where the opposition had any interest, they were *most* prevalent in *Scotland*, where the duke of *Argyle* exerted himself with extraordinary vigor—and soon acquired influence enough to procure a great majority of the *Scotch* representatives against the court at the next election.'

The

^a See Lord *Elibank's* [a *Scotch* nobleman] *Considerations on the present state of the Peerage in Scotland*. Printed for *Cadell*, A. D. 1771, a piece which breathes as high a spirit of liberty as any in the *English* language.

^b CONTIN. *Rap.* VIII. 471.

The earl of *Marchmont* was a constant opposer of *Walpole* and his corrupt measures.

And see the brave speeches of Messrs. *Erskine* and *Dundas* against the army^a.

To conclude this head, you may depend upon it, my good countrymen, that neither railing against the *Scots*, nor even breaking the union, nor massacring the whole inhabitants of *North Britain*, (for who can tell how far our incendiaries wish to carry their animosity) nor any popular cry against lord ——— or for Mr. ———, nor any other party-object, is of consequence enough to be named in a day with the restoration of independency to parliament. They who are for this indispensable measure are undoubted friends to *England*; they who are against it, no matter what banners they list under, they are more desirous of the emoluments of places and pensions, than studious of the good of their country. But to return;

It may be objected, that it will be difficult to find gentlemen properly qualified to send into parliament, when so many, must be new men every new parliament. To this may be answered, That if the possibility of bribing were taken away, which I have above shewn may be done, any man of common sense and common honesty may be a member; because his constituents may instruct him how to vote, and he will have no interest separate from that of his country, and the speaker, clerks, officers, &c. who may be permanent, will be masters of forms and the routine of business.

If it be said, the boroughs, which send in the majority of the house, cannot be deprived of a *right* they have enjoyed by so long *prescription*; which must for ever

ever shut the door against all proposals of rendering parliamentary representation adequate; the answer is easy: The rotten boroughs obtained their right through the indirect views, or the caprice, of a set of crowned heads. General good is to be secured, though to the prejudice of unjust privilege. The more ancient the grievance, the more is redress wanted. If this objection be valid in this case, there can be no reformation, nor any new law or regulation made; for every new law brings prejudice to some individuals. See above, vol. I. p. 62, *et alibi*.

It is, and always has been, the cry of the defenders of present measures, 'What would you have? Is not every person free to do what he pleases? Would you possess a greater degree of liberty than that which all enjoy at present?' But may not this be said in a country, and at a period when the *constitution* of that country is overturned? For that will always be the case, where the genius of the government, though absolute, is *mild*. I doubt not, but the partisans of *Augustus* lulled the *Romans* to submission with such discourses as these; for the individuals were as free at *Rome* the very next year after the bloody proscription was at an end, as in *England* now. But would a *Brutus* or a *Cassius* have let themselves be deceived by such means into a submission to *Augustus*? No. They would have rewarded him for violating the *constitution* as they did *Julius*.

'*Pour la populace, &c.* As to the common people, it is never from a desire of attacking that they rise, but from impatience of suffering^a.'

The *inertia* and timidity of the people are the great difficulties in the way of every reformation. It is not
statesmen

^a MEM. Sully I. 272.

statesmen nor clergymen that promote reformati-
 ons either in the state or the church ; it lies upon the peo-
 ple, and it is very hard to drive the people to it. This
 is well known to all tyrants in church and state ; and
 their hope is that the people will not stir, till they be
 violently abused : and unfortunately it is then commonly
 too late. For the tyrant and his tools must have a con-
 siderable confidence in their own strength, and the
 weakness of the cause of liberty, before they will venture
 on those violences ; and then there is but little hope
 of procuring a revolution.

‘ Far from being ready to protect the rights of others,
 ‘ every one must have seen his own many times fla-
 ‘ grantly attacked, before he resolves to defend them ;
 ‘ and it is difficult to conceive how great an advantage
 ‘ government takes from that want of spirit to oppose
 ‘ its criminal attempts, and how much it concerns
 ‘ public liberty, that subjects be not too patient.

‘ When we peruse attentively the history of despo-
 ‘ tism, we sometimes behold with astonishment a hand-
 ‘ ful of men keeping a whole nation in awe. That
 ‘ inconsiderate moderation of the people, that timidity,
 ‘ that fatal propensity to separate their common inte-
 ‘ rests, are the true causes of this surprizing phæno-
 ‘ menon. For what is the voice of the people, if every
 ‘ one is to continue silent ?’

Whatever excuses or delays may be interposed by
 the interested, or the timid, one thing is indisputably
 clear, viz. That, as above observed, if there be now
 difficulties in the way, those difficulties will not be
 lessened by time, but increased and multiplied. As a
 presumptuous sinner, by putting off repentance, ren-
 ders his own restoration more and more difficult, so it
 is

is with nations. Corruption and venality, if they be not rooted out, will increase more and more, and the power of the court will increase with them.

The principal difficulty in all such cases arises from the *inertia* of the people. Would all the independent people of *England* set themselves in earnest to begin and carry on the great work, what could prevent their success?

The excellent *Sidney* employs his whole 41st section in proving, that ‘the people, for whom, and by whom
‘the magistrate is created, can only judge whether he
‘rightly performs his office, or not.’—‘The people,’ says he, p. 438, ‘cannot be deprived of their natural
‘rights upon a frivolous pretence to that which never
‘was, nor ever can be. They who create magistracies,
‘and give to them such name, form, and power as they
‘think fit, do only know, whether the end for which
‘they were created be performed or not. They who
‘give a being to the power which had none, can only
‘judge whether it be employed to their welfare, or
‘turned to their ruin. They do not set up one or a
‘few men, that they and their posterity may live in
‘splendour and greatness, but that justice may be administered, virtue established, and provision made for
‘the public safety. No wise man will think this can
‘be done, if those who set themselves to overthrow
‘the law, are to be their own judges.’ Again, p. 439, ‘It is as easy for the people to judge whether
‘their governors, who have introduced corruption,
‘ought to be brought to order, and removed if they
‘would not be reclaimed, or whether they should be
‘suffered to ruin them and their posterity, as it is for
‘me to judge whether I should put away my servant, if
‘I knew he intended to poison or murder me, and had
‘a certain facility of accomplishing his design; or
‘whether

‘ whether I should continue him in my service till he
‘ had performed it. Nay the matter is so much the
‘ more plain on the side of the nation as the disproportion of merit between a whole people, and one or a
‘ few men intrusted with the power of governing them
‘ is greater than between a private man and his servant.
‘ This is so fully confirmed by the general consent of
‘ mankind, that we know no government that has not
‘ frequently either been altered in form, or reduced to
‘ its original purity, by changing the families or persons who abused the power with which they had been
‘ intrusted. Those who have wanted wisdom and virtue rightly and seasonably to perform this, have been
‘ soon destroyed.’

‘ It has been the general unhappiness of countries,
‘ in which corruption has prevailed, that the bad men
‘ are bold and enterprising, forward and active ; whereas such as keep their integrity, are unactive, cold,
‘ and lazy ; contented with the barren praise of not
‘ being guilty themselves, they suffer others to invade
‘ so much power, as that they can do hurt, and do it
‘ safely, and in a nation debauched in principles, many
‘ parts of the state may be filled by persons of high
‘ knowledge and virtue ; but their love and zeal for
‘ the public, and their vigilance for its safety, their
‘ prudence, foresight, and caution, shall be all rendered
‘ ineffectual by the over-ruling madness of others.
‘ The side which would tread in the path of honesty
‘ and wisdom, shall be overborn and shoved out of the
‘ way, by the crowd and strong faction of those who
‘ find their account in promoting disorder and misgovernment. Such as maintain their understanding
‘ in this general frenzy, shall be admired but not followed ; esteemed, but not consulted ; heard, but not
‘ regarded. Mend things they cannot ; if they will be
‘ quietly

‘ quietly wise and say nothing, they are endured ; and
 ‘ if inactive, they are suffered ; when their superior
 ‘ skill is forgiven and connived at, when such as have
 ‘ more than common endowments are allowed to sub-
 ‘ sist and preserve themselves, though they cannot save
 ‘ their country, it is thought a sufficient favour ; but
 ‘ all the while they shall be made uneasy ; pursued with
 ‘ malicious whispers, blackened as disaffected, and
 ‘ made obnoxious to the people ; till at last they are
 ‘ forced to retire, and let their brethren of the state ruin
 ‘ and betray the nation in quiet^a.’

There is nothing to be done, say worthless lazy statesmen. It is impossible to amend any thing either in the state or the church. With how much more reason might the great Czar *Peter* have excused himself from the glorious labours he undertook for the good of his vast dominion ! ‘ These *Russians*,’ he might have said, ‘ are grown inveterate in their errors and bad customs. What chance is there of drawing a set of unreasoning and bigotted savages from their old prejudices, to which they have been inseparably attached for an innumerable series of ages ?’

See *Charles II*’s proclamation against stirring new opinions^b. Old errors were preferable to new truth.

‘ The political constitution of *Poland* has been the
 ‘ source of continual misfortunes. Yet the natives are
 ‘ attached to it to a degree of enthusiasm, and especially
 ‘ to those parts, which produce the greatest inconve-
 ‘ niencies^c.’

Even such salutary regulations as the reformation of the Calendar, demolishing the city-gates, and new pav-
 ing

^a *Daven.* II. 70.

^b *Rym. FOED.* XVIII. 719.

^c *MOD. UNIV. HIST.* XXIV. 6.

ing the streets, improving the roads by setting up turnpikes, establishing county-workhouses, have been strenuously opposed by wrong-headed, or interested men.

A *French* gentleman, who resided some time in *England*, returning to his own country, among other remarks on the character of the *English*, observed, That they never redressed any nuisance, till some notable mischief consequent upon it, compelled them^a.

How can the people be too jealous of their liberties, when they know, that the best of kings and governments, are, to say the least, more solicitous about their own power than about the people's liberties; that the best kings and governments are unwilling to give up the power they find within their reach, however unjustly acquired by their predecessors; so that the evil done by a tyrannical government is seldom effectually excluded by a good one, while the good done by a just government is often overset by a succeeding tyranny.

I have shewn you, my dear countrymen, that it is in vain to think of going on in the way we are in, without timely redress; that we have nothing before our eyes, but the diminution of our trade, and consequently of the national income, which must produce a deficiency of that which ought to go to the payment of the dividends, after which may be expected to follow the despair and rage of thousands reduced to beggary, against those who shall be the supposed causes of this mischief; all which may lead on to insurrections of the people, to burning of houses, cutting of throats, and this horrible confusion may be expected to end, as those in *Denmark* did lately, in a general request to the reigning prince, to give the nation peace, by taking into his own

^a DEB. LORDS, IV. 241.

own hands the whole power, which is now in king, lords, and commons, and making himself what the king of *Denmark* is now.

Why must slaves be chained; but because slavery is a state of such misery, that no person will continue in it, if he can extricate himself.

The *Spartan* helotes, the *Roman* slaves in the *ergastula*, the negroes in the *West Indies*, all have at times struggled for the recovery of their liberty. Shall it be said, that the *English* only are to be brought to bear slavery tamely?

‘ *Germany* and *Rome* continuing, the one in a state
‘ of liberty, the other of slavery, yield the most illustri-
‘ ous and evident proof of the consequences that attend
‘ those conditions. That great city, which from small
‘ beginnings in a free state, extended its empire so
‘ widely, that as *Livy* expresses himself, it laboured
‘ under its own greatness; that city, whose inhabitants
‘ whilst it was free, notwithstanding its continual wars,
‘ multiplied so fast, that it sent colonies into the re-
‘ motest parts of its far extended command; when re-
‘ duced to slavery, soon became depopulated, as did its
‘ provinces: though many means were tried to allure
‘ and compel the inhabitants to marry, yet they all
‘ proved ineffectual, and well they might, for who
‘ would exert his industry in acquiring a property, that
‘ was insecure, or get children, who could be certain of
‘ no other inheritance but slavery, and were sure of that?
‘ The strength of the empire was not only decayed in
‘ numbers, but more in spirit; for slavery debases the
‘ minds of men: and it fares with nations as with pri-
‘ vate persons; both by oppression grow stupid and de-
‘ cline, even as low as the brutal part of the creation,
‘ unless they have spirit enough to relieve themselves.
‘ And then the causes of their woe, as in justice they
‘ ought,

‘ought, and ever will, meet with an ample retribution^a.’

The authors of the ANCIENT UNIVERSAL HISTORY thus describe the lamentable fall of the mighty *Roman* empire^b.

‘Thus ended the greatest commonwealth, and at the same time began the greatest monarchy, that had ever been known, a monarchy which infinitely excelled in power, riches, extent, and continuance, all the monarchies and empires which had preceded it. It comprehended the greatest, and by far the best part of *Europe*, *Asia*, and *Africa*, being near four thousand miles in length, and about half as much in breadth. As to the yearly revenues of the empire, they have by a modest computation been reckoned to amount to forty millions of our money: but the *Romans* themselves now ran head-long into all manner of luxury and effeminacy. The people were become a mere mob; those who were wont to direct mighty wars, to raise and depose great kings, to bestow or take away potent empires, were so sunk and debauched, that if they had but bread and shews, their ambition went no higher. The nobility were indeed more polite than in former ages; but at the same time idle, venal, insensible of private virtue, utter strangers to public glory or disgrace, void of zeal for the welfare of their country, and solely intent on gaining the favour of the emperor, as knowing that certain wealth and preferment were the rewards of ready submission, acquiescence, and flattery. No wonder therefore they lost their liberty, without being ever again able to retrieve it.’

VOL. III.

C c

Slaves

^a *St. Amand*, PARL. HIST. 8.

^b ANT. UNIV. HIST. XIII. 489.

Slaves lose all courage for war. When *Lucullus* was told how numerous *Tigranes's* army was, 'No matter, says he, the lion never hesitates about the number of the sheep.' His army was but 14,000. *Agésilas* invaded the *Persian* empire with 14,000 men, and drove all resistance before him. The little free state of *Athens* was always an overmatch for that vast enslaved empire. In the war between *Cyrus* and *Artaxerxes*, 13,000 *Greeks* routed 900,000 *Persians*. The same *Greeks*, reduced to 10,000, made good their retreat under the command of *Xenophon*, through a hostile country of 2300 miles.

The *Greeks* and *Romans*, because free, conquered the enslaved nations. The only formidable enemies the latter had were the free *Carthaginians*. With the liberties of the *Greeks* and *Romans* sunk their valour. What are now the descendants of those conquerors of the world?

Xerxes, with his world in arms, was defeated by a handful of *Greeks*, and fled with such rapidity, that he took only a month to perform the same journey homeward, in which he spent six from his setting out to his arrival in *Greece*.

The free trading city of *Tyre* cost *Alexander* the Great more trouble to conquer, than all *Asia*. And though he demolished it in such a manner, that he thought it could never more lift its head, in 19 years afterwards it was in a condition to stand a siege of 15 months by *Antigonus*.

Where liberty is restrained, commerce languishes. Compare old *Tyre*, *Carthage*, *England*, *Holland*, *Venice*, the free *Hanse towns*, with all other countries in which commerce has been attempted. The proud tyrants of *France* have never been able to establish an *East India* company, while those of *England* and *Holland* astonish the

the world, and overawe the greatest of the eastern empires^a.

All the best writers on trade labour to shew, that even in this free country trade is too much cramped by duties; and that it would be greatly for the general advantage, that the revenues were raised rather any other way.

Naval power cannot subsist without commerce, nor commerce without liberty. The naval force of the great but enslaved kingdoms of *France* and *Spain* is contemptible, while that of the little republic of *Holland* has long been formidable. In two months after their defeat in *Cromwell's* time, they fitted out a fleet of 140 men of war. Whereas the *Spaniards* have never recovered the loss of their armada in the days of queen *Elizabeth*.

France has almost every advantage above *England* towards thriving, yet *England* hitherto thrives better than *France*. *Holland* labours under every disadvantage, yet makes almost as good a figure as *England*. Were *England* as well governed as *Holland*, would not she be greatly superior to *Holland*? Were *France* governed as *Holland* is, would not she be still more superior to both *England* and *Holland* as to wealth and commerce? How foolish then the cry of the court-sycophants, 'Your thriving is a proof that you are well governed.' No: on the contrary, our not thriving in proportion to *Holland*, is a proof that we are not so well governed.

All the kingdoms of *Europe*, as the *Goths* and *Vandals* settled them, were free^b; yet the most complete slavery grew out of the feudal tenures set up by them, with the design of securing themselves against foreign enemies,

C c 2

^a See *Davenant, Gee, Child, Decker, Postlethwayt, Anderson*.

^b *Robertson's Hist. CH. V. I. 13.*

enemies, by giving lands to those who served in the wars, which gave landholders an opportunity of erecting themselves into despots, and destroyed all internal happiness. So naturally does slavery steal upon mankind, and so precarious is the hold they have of liberty.

Where liberty is lost, property there is none. In the enslaved parts of *Italy*, the people perish with hunger in the midst of plenty, because the fruits of the earth are not their own. In *France*, if a peasant has saved 5*l.* he must bury it in the ground, lest the fermier general, hearing of it, tax him accordingly.

In an enslaved country, there may be magnificence; but it is confined to the capital, the seat of the tyrant. All besides is poverty and desolation.

The authors of the *Antient Universal History*^a describe as follows the horrors of slavery:

‘ These three tyrants, *Antony*, *Lepidus*, and *Octavi-*
‘ *anus*, went on adding daily to the number of the pro-
‘ scribed, till it amounted to 300 senators, and above
‘ 2000 knights. It is impossible to paint the horrors
‘ of this bloody proscription. By it every considerable
‘ man in *Rome*, who was disliked, or suspected by the
‘ triumvirate to disapprove their tyranny, who was rich,
‘ and had wherewithal to glut their avarice, was doomed
‘ to die. As it was death to conceal or help them, and
‘ ample rewards were given to such as discovered and
‘ killed them, many were betrayed and butchered by
‘ their slaves and freed men, many by their treacherous
‘ hosts and relations. Many fled to the wilderness,
‘ where they perished for want with their tender chil-
‘ dren. Nothing was to be seen but blood and slaugh-
‘ ter; the streets were covered with dead bodies; the
‘ heads of the most illustrious senators were exposed
‘ upon

^a ANT. UNIV. HIST. XIII. 353.

‘ upon the rostra, and their bodies left unburied in the
 ‘ streets and fields, to be devoured by the dogs and
 ‘ ravenous birds. This looked like dooming *Rome* to
 ‘ perish at once. Many uncondemned persons perished
 ‘ in this confusion; some by malice or mistake, others
 ‘ for concealing or defending their friends. Several of
 ‘ the ancient historians seem to take pleasure in describ-
 ‘ ing the horrors of this bloody and cruel proscription,
 ‘ which reduced the populous capital of the world al-
 ‘ most to a wilderness. They produce many remark-
 ‘ able and moving instances of the affection of wives
 ‘ for their husbands, and of the fidelity of slaves to-
 ‘ wards their masters; but few, very few, as they own
 ‘ with great concern, of the love of children towards
 ‘ their parents. However, the dutiful behaviour of
 ‘ *Oppius* may stand for many, who, like *Æneas*, carried
 ‘ his old and decrepit father on his shoulders to the
 ‘ sea-side, and escaped with him into *Sicily*. His piety
 ‘ was not long unrewarded; for on his return to *Rome*,
 ‘ after the triumvirs had put an end to the proscrip-
 ‘ tion, he found the people so taken with that generous
 ‘ action, that all the tribes unanimously concurred in
 ‘ raising him to the ædileship; and because he wanted
 ‘ money to exhibit the usual sports, the artificers
 ‘ worked without wages; and the people not only
 ‘ taxed themselves to defray the necessary charges at-
 ‘ tending such shows, but gave proofs of the esteem
 ‘ they had for so dutiful a son, by such contributions
 ‘ as amounted to twice the value of his paternal estate,
 ‘ which had been confiscated by the triumvirs. *Caius*
 ‘ *Hofidius Geta* was likewise saved by his son, who
 ‘ spread a report, that his father had laid violent hands
 ‘ on himself, and to render the fact more credible,
 ‘ spent the poor remains of his fortune in performing
 ‘ his obsequies. By this means *Hofidius*, not being

‘ searched after, made his escape, but lost one of his
‘ eyes, which he had kept too long covered with a
‘ plaster, the better to disguise him. As for the bar-
‘ barous impiety of those children, who by a strange
‘ apostasy from nature betrayed their own parents, it
‘ ought to be buried in oblivion. Nothing can reflect
‘ greater infamy on the memory of the triumvirs, than
‘ their countenancing such impious monsters. Several
‘ slaves chose rather to die on the rack, amidst the most
‘ exquisite torments, than discover the place where
‘ their masters lay concealed; others, not caring to
‘ outlive them, fell by their own hands upon their dead
‘ bodies. Many illustrious matrons gave remarkable
‘ proofs of their conjugal love in those times of cala-
‘ mity, which ought not to be passed over in silence.
‘ The wife of *Q. Ligarius*, seeing her husband betrayed
‘ by one of his slaves, declared to the executioners,
‘ who cut off his head, that she had concealed him,
‘ and consequently ought, in virtue of the decree, to
‘ undergo the same fate. But they not hearkening to
‘ her, she appeared before the triumvirs themselves,
‘ upbraided them with their cruelty, owned she had
‘ concealed, in spite of their decree, her husband, and
‘ begged death of them as a favour. Being driven
‘ away by their officers, she shut herself up in her own
‘ house, and there, as she was determined not long to
‘ outlive her husband, starved herself to death. *Acilius*
‘ was betrayed by one of his slaves, and apprehended,
‘ but redeemed by his wife, who readily parted with
‘ all her jewels to save his life. *Apuleius Antistius*
‘ *Antius*, *Q. Lucretius Vispallis*, *Titus Vinnius*, and many
‘ others, were saved by the ingenious contrivances of
‘ their wives, after they had given themselves up for
‘ lost. *Lucius*, the uncle of *Antony*, was saved by his
‘ sister *Julia*, in whose house he had taken refuge.
‘ Though

' Though the country, as well as the city, swarmed
 ' with informers and assassins, yet many illustrious citi-
 ' zens found means to avoid the fury of the proscrip-
 ' tion, and to get safe, either to *Brutus* in *Macedon*, or to
 ' *Sextus Pompeius* in *Sicily*. The latter kept constantly a
 ' great number of small vessels hovering on the coasts
 ' of *Italy*, to receive such as made their escape, and
 ' treated them with great kindness and civility. As to
 ' *Cicero*, he had not the good luck to escape, but fell a
 ' sacrifice to the implacable rage of *Antony*. The great
 ' reputation of that orator, the obligations which all
 ' men of learning owe to his memory, and the inimi-
 ' table works he has left behind him, require of us a
 ' particular account of his death, and the most minute
 ' circumstances attending it. He was with his brother
 ' *Quintus*, who was likewise proscribed, at his country
 ' house near *Tusculum*, when the first news were
 ' brought him of the proscription, which he no sooner
 ' heard, than he left *Tusculum* with his brother, taking
 ' his route towards *Austura*, or as some call it, *Stura*,
 ' another of his country-houses on the sea side, between
 ' the promontories of *Antium* and *Circæum*. There
 ' they both designed to take shipping, and endeavour
 ' to join *Brutus* in *Macedon*. They travelled together
 ' each in his litter, oppressed with sorrow, and often
 ' joining their litters on the road to condole each other.
 ' As they had in the first alarm and hurry forgot to
 ' take with them the necessary money to defray the ex-
 ' pences of their voyage, it was agreed between them,
 ' that *Cicero* should make what haste he could to the
 ' sea side, and *Quintus* return home to provide neces-
 ' saries. Then they embraced each other, and parted
 ' with reciprocal fear. *Quintus* returned to *Rome*, and
 ' got to his house undiscovered, where he thought him-
 ' self safe, at least for a short time, since it had been

‘ lately searched by the ministers of the triumvirs. But
‘ as in most houses there were as many informers as
‘ domestics, his return was immediately known, and
‘ the house of course was filled with soldiers and assassins, who not being able to find him out, put his
‘ son to the torture, in order to make him declare
‘ where his father lay concealed. But filial affection
‘ was proof in the young *Roman* against the most exquisite torments. However, the tender youth could
‘ not help sighing now and then, and groaning in the
‘ height of his pain. *Quintus* was not far off; and
‘ the reader may imagine, though we cannot express,
‘ how the heart of a tender father must have been affected in hearing the sighs and groans of a son dying
‘ on the rack to save his life. He could not bear it;
‘ but quitting the place of his concealment, he presented himself to the assassins, begging them with a
‘ flood of tears to put him to death, and dismiss the
‘ innocent child, whose generous behaviour the triumvirs themselves, if informed of the fact, would judge
‘ worthy of the highest encomiums and rewards. But
‘ those inhuman monsters, without being in the least
‘ affected with the tears either of the father or the son,
‘ answered, that they must both die, the father because
‘ he was proscribed, and the son, because, in defiance of the
‘ decree of the triumvirs, he had concealed his father.
‘ Then a new contest of tenderness arose between the
‘ father and the son who should die first: but this the
‘ assassins, destitute of all sense of humanity, and no
‘ way affected with such melting scenes, soon decided,
‘ by beheading them both at the same time. Though
‘ *Quintus Cicero’s* wife was not perhaps without reproach, his death, it must be owned, was truly glorious: as for that of his son, it has been, and ever
‘ will be, celebrated by the writers of all nations and
‘ ages

ages as an instance of the most heroic affection, and filial duty. But to return to the elder brother, *Cicero* having reached *Austura*, and by good luck found a vessel there ready to weigh anchor, went on board with a design to pass over into *Macedon*, and join *Brutus*. But either dreading the inconveniencies of such a voyage, or still depending on the friendship of *Octavianus*, whom he had all along supported with his credit and eloquence, he soon changed his mind, and ordered the master of the ship to set him ashore at *Circæum*, whence he took his route towards *Rome* by land. But after he had gone about two hundred furlongs he altered his resolution anew, and returned to sea, where he spent the night in a thousand melancholy and perplexing thoughts. One while he resolved to go privately into *Octavianus*'s house, and there kill himself upon the altar of his domestic gods, in order to bring upon him the wrath of those furies who were deemed the avengers of violated friendship. But the fear of being taken on the road, and the apprehension of the cruel treatment he expected, if taken, soon made him drop that resolution. Then falling into other thoughts equally perplexing, and wavering between the hopes he had in *Octavianus*'s friendship, and the fear of death, he at last suffered his domestics to convey him by sea to a country-house, which he had in the neighbourhood of *Caieta*; where he had not been long, when his domestics carried him again in a litter towards the sea-side. They were scarce gone, when a band of soldiers under the command of *Herennius* a centurion, and *Popilius Lænas* a military tribune, came to the house. *Cicero* had formerly undertaken the defence of *Popilius*, when he was under a prosecution for the murder of his own father, and by his triumphing eloquence, had

‘ got him absolved by those very judges, who a little
‘ before were ready to condemn him to a most cruel
‘ death. But the ungrateful wretch, unmindful of
‘ former obligations, and wholly intent on currying
‘ favour with *Antony*, had promised to find out *Cicero*,
‘ wherever he lay concealed, and bring him his head. He
‘ found the doors of his house shut, but breaking them
‘ open, and searching in vain every corner, he threatened
‘ to put all the slaves in the house to the torture, if
‘ they did not immediately declare where their master
‘ lay concealed. But the faithful slaves, without be-
‘ traying the least fear, answered with great constancy
‘ and resolution, that they knew not where he was.
‘ At length a young man, by name *Philologus*, who had
‘ been slave to *Quintus*, and afterwards enfranchised by
‘ him, and instructed by *Cicero* in the liberal arts and
‘ sciences, with all the tendernefs of a father, disco-
‘ vered to the tribune, that *Cicero*’s domestics were
‘ then carrying him in a litter through the close and
‘ shady walks to the sea side. Upon this information
‘ *Popilius*, with some of his men, hastened to the place
‘ where he was to come out, while *Herennius* with the
‘ rest followed the litter through the narrow paths.
‘ As soon as *Cicero* perceived *Herennius*, he commanded
‘ his servants to set down his litter, and stroking, ac-
‘ cording to his custom, his head with his left hand,
‘ he put out his head, and looked at the assassins with
‘ great intrepidity. This constancy, which they did
‘ not expect from him, his face disfigured and emaci-
‘ ciated with cares and troubles, his hair and beard ne-
‘ glected, and in disorder, &c. so affected the soldiers
‘ who attended *Herennius*, that they covered their eyes
‘ with their hands, while he cut off his head, and pur-
‘ suant to *Antony*’s directions his right hand, with
‘ which he had written the *Philippics*. With those tro-
‘ phies

phies of their cruelty, *Herennius* and *Popilius* hastened back to *Rome*, and laid them before *Antony*, while he was holding an assembly of the people for the election of new magistrates. The cruel tyrant no sooner beheld them, than he cried out in a transport of joy, Now let there be an end of all proscriptions: live, *Romans*, live in safety; you have nothing more to fear. He took the head in his hand, and looked on it a long time with great satisfaction, smiling at a sight, which drew tears from all who were present. After he had satiated his cruel and revengeful temper with so dismal a spectacle, he sent, as we are told by several writers, the head of the orator to his wife. *Fulvia* was naturally more cruel than the triumvir himself, and had born an implacable hatred to *Cicero*, ever since the time of her first husband *P. Clodius*, who was slain by *Milo*. That fury, after having insulted the poor remains of her enemy with the most injurious reproaches, took that venerable head in her lap, and drawing out the tongue of the deceased which had uttered many bitter invectives against both her husbands, pierced it several times with a golden bodkin which she wore in her hair. When *Fulvia* had satiated her impotent rage, *Antony* ordered both the head and the hand to be set up on the rostra, where *Rome* could not without horror behold the remains of a man who had so often triumphed in that very place, by the force and charms of his eloquence. Thus fell the greatest orator which *Italy*, or any other country, ever bred; a man, who, as *Cæsar* the dictator used to say, had obtained a laurel as much above all triumphs, as it was more glorious to extend the bounds of the *Roman* learning than those of the *Roman* empire. In his consulate, which was truly glorious, he discovered with wonderful sagacity the
most

‘ most secret plots of the seditious *Catiline*, defeated
‘ his best concerted measures, and saved, we may say,
‘ *Rome* from utter destruction; whence he was deser-
‘ vedly honoured with the glorious title of The father
‘ of his country. The *Roman* people no doubt owed
‘ him much, and he took care to put them frequently
‘ in mind of their obligations; for he was quoting on
‘ all occasions, in and out of season, the nōnes of *De-*
‘ *cember*, as *M. Brutus* observed in one of his letters
‘ to *Atticus*. He loved his country; but his zeal did
‘ not carry him so far as to make him sacrifice his pri-
‘ vate interest to the public welfare. But after all,
‘ the intrepidity with which he offered himself to death,
‘ ought to make us in a manner overlook the timo-
‘ rousness, pusillanimity, and irresolution, which he
‘ betrayed in most occurrences of his life. He died on
‘ the seventh of the ides of *December*, in the sixty-fourth
‘ year of his age, and was greatly lamented by all ranks
‘ of men. *Antony* himself made some sort of reparation
‘ to his memory; for, instead of rewarding the perfid-
‘ ious *Philologus*, who betrayed his master and bene-
‘ factor, he delivered him up to *Pompona* the widow of
‘ *Quintus Cicero*, and sister of *Pomponius Atticus*, who
‘ after having glutted her impotent rage, and desire of
‘ revenge with the most exquisite torments cruelty it-
‘ self could invent, obliged the miserable captive to cut
‘ off his own flesh by piece-meal, boil it, and eat it in
‘ her presence. But *Tiro Cicero*’s freeman has not so
‘ much as mentioned the treachery of *Philologus*, as we
‘ have observed above out of *Plutarch*. *Octavianus*,
‘ who shamefully sacrificed *Cicero* to his most cruel
‘ and bitter enemy, declared several years after, the
‘ esteem he had for him: for visiting one day his
‘ daughter’s son, and finding him with a book of *Ci-*
‘ *cero*’s in his hand, the boy for fear endeavoured to
‘ hide

‘hide it under his gown; which *Octavianus* perceiving,
‘took it from him, and turning over a great part of
‘the book standing; gave it him again, saying, This,
‘my child, was a learned man, and a lover of his coun-
‘try.’

Such are the miseries, which the *Romans* brought upon themselves by not securing their liberties in time. And it is impossible to say what distresses any country may come into, which, through want of a due attention to the smallest inroads upon their liberties, suffer the floodgates to be once opened.

In our country, if a chimney-sweeper is murdered, especially with the sword of justice, all *England* is alarmed. In the imperial times of *Rome*, 500, or 5000 people were destroyed in a single insurrection of the army, or massacred by order of a hell-hound emperor, and no notice taken.

In the assembly of the states-general of *France*, *A. D.* 1614, the clergy (ever enemies to liberty, ever trumping up church-power) hallowed out for the reception of the council of *Trent*; and the *tiers-état*, which answers to our commons, who are naturally, if not debauched by a corrupt and corrupting court, friendly to liberty, as knowing that their own happiness depends on it, opposed, as they, and all mankind ought to do, the enslaving schemes of the priesthood; and demanded a declaration against the pope’s power over kingdoms, and against the assassinating of heretical kings. Neither obtained their demands. Many grand points were disputed; but nothing decided. The whole proved confused, turbulent, and ineffectual. There has no free assembly of the states-general of *France* met since that time. Then the benign and cheering beams of the sun of liberty set on that unhappy country, never more to rise. Since that time, a fullen gloom of darkness
and

and despotism, from a terrible throne, has overshadowed that people, and a frowning tyrant, in one hand brandishing a bloody sword, and clanking a bundle of fetters with the other, chills their souls with slavish horror, damps all manly spirit, and kills all hope of emancipation. Accordingly our times have seen the only remaining appearance of a citadel, from whence a national effort for recovery of liberty could have originated, at one stroke of regal power reduced to nothing, by the total suppression of all the parliaments of *France*. Which final heart-stab to the constitution, the poor enslaved people have seen, and resented only by shrugging up their shoulders.

O *Britain*! See here the consequence of suffering power to pass from the hands of the people into those of kings and ministers; and remember, a corrupt and enslaved parliament is in no degree a more effectual check upon the power of kings and courts, than no parliament.

‘ Victory is more especially founded upon courage,
 ‘ and courage upon liberty, which grows not without
 ‘ a root planted in the policy or foundation of the go-
 ‘ vernment ^a.

The richest soil in *Europe*, *Italy*, is full of beggars; among the *Grisons*, the poorest people in *Europe*, there are no beggars ^b. The balliage of *Lugane* is ‘ the
 ‘ worst country, the least productive, the most exposed
 ‘ to cold, and the least capable of trade of all *Italy*, and
 ‘ yet is the best peopled. If ever this country is
 ‘ brought under a yoke like that which the rest of
 ‘ *Italy* bears, it will soon be abandoned, for nothing
 ‘ draws so many people to live in so bad a soil, when
 ‘ they

^a *Harringt. OCCEANA*, p. 289.

^b *Burn. TRAV.* p. 97.

‘ they are in sight of the best soil in *Europe*, but the easiness of the government ^a.’

Italy shews, in a very striking light, the advantage of free government. The subjects in all the *Italian* republics are thriving and happy. Those under the pope, the dukes of *Tuscany*, *Florence*, &c. wretched beggars.

Lucca, to mention no others at present, is a remarkable instance of the happy effects of liberty. The whole dominion is but thirty miles round, yet contains, besides the city, 150 villages, 120,000 inhabitants, and all the soil cultivated to the utmost ^b. Government, a gonfalonier, or standard-bearer, whose power is like that of the doge of *Venice*, and nine counsellors, whose power is only for two months, (and those two months they were in some troublesome times obliged to live all together in the town-hall, without even going to their own houses ^c,) chosen out of 240 nobles, and they changed every two years.

The city of *Fez* in *Africa* has the strange privilege of being allowed to yield to any enemy, who shall get within half a mile of its walls. Every king, at his coronation, confirms this privilege. So dastardly does slavery make a people ^d.

Many of the *Chinese* nobility, on the decisive sea-fight between the *Chinese* and *Tartars*, in which 100,000 of the former were killed, *A. D.* 1279, would not submit to the *Tartar* government, though they might have enjoyed all their honours and advantages. They preferred, like *Cato*, or *Brutus*, an honourable death to shameful servitude ^e.

Asia

^a *Burn.* TRAV. 108.

^b *MOD. UNIV. HIST.* xxxvi. 6.

^c *Ibid.* xviii. 132.

^e *Ibid.* 36.

Ibid. viii. 467.

Asia has greater riches than *Europe*. But slavery makes that vast quarter of the world despicable, compared with our little spot of *Europe*.

The slave trade produces, among the *Africans* infinite cruelty, deceit, and oppression. Parents sell their children; creditors their debtors by families at a time; false accusers the unjustly condemned; savas, or lords, whoever offends them ^a.

While the *Spaniards* were masters of *Portugal*, they oppressed it much in the same manner as the *Egyptians* the *Israelites*, or the *Spartans* the *Helotes*. Since the *Portuguese* became independent, they have grown rich, flourishing, and ungrateful ^b.

‘It is constantly (said a member in Queen *Elizabeth*’s time) in the mouths of us all, that our lands, goods, and laws, are at our prince’s disposal ^c.’

The *English* seem hardly to have deserved the name in the time of *Philip* and *Mary*, so abject and slavish they were, beyond most other nations of *Europe*. *Caseley*, a member, was put in custody of the serjeant at arms, only for shewing some anxiety, lest the queen, from her necessitous circumstances, should alienate the crown from the lawful heir ^d.

In *Britain*, an industrious subject has the best chance for thriving, because the country is the freest. In the *Mogul*’s dominions, the worst, because the country is the most effectually enslaved ^e.

‘*Liber homo*, &c. The title of freemen was formerly confined chiefly to the nobility and gentry, who were descended of free ancestors. Far the greatest part of the common people was formerly restrained under some species of slavery, so that they were not
masters

^a MOD. UNIV. HIST. XVI. 195.

^b Ibid. XLIII. 382.

^c Hume, HIST. TUD. II. 640.

^d Ibid. II. 398.

^e MOD. UNIV. HIST. VI. 301. *et pass.*

‘masters of themselves’^a. To what a low degree of slavery must a people be reduced, who were obliged to give the first night of their brides to the lord of the manor, if he demanded it^b?

What has been in *England* may be again. If liberty be on the decline, no one knows how low it may sink, and to what pitch of slavery and cruelty it may grow.

Martial law was the most horrible of all tyranny. By it any man was punishable without judge or jury, who became suspected to the lieutenant of a county, or his deputy, of treason, or of aiding or abetting treason. It was used by bloody *Mary* in defence of orthodoxy^c. *Edward* (or rather his villanous ministers, for he was but a boy) granted a warrant for martial punishments, at a time when there was no rebellion apprehended, viz. *A. D.* 1552, and the judges were to act ‘as should be thought by their discretions most necessary.’ *Elizabeth* ordered the importation of bulls, indulgences, or even prohibited books, to be punished with martial law; and rioters and vagrants to be hanged upon the spot where taken; so that almost any body might hang any body, any how, or any where^d. Imprisonment in those days was arbitrary at the pleasure of the privy council, or secretary of state, and the torture might be used upon the secretary of state’s warrant; so that the government of *England* was, in the days of *Henry VIII.* *Mary*, *Elizabeth*, and *James I.* upon much the same arbitrary principles as that of *Turkey* is now. The crown had every power but that of laying on taxes; and the subject was not the less oppressed for the court’s not having that power. *Elizabeth*’s arbitrary proceedings made up for this. She

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gave

^a SPELM. *Gloss.* voc *Liber homo*.

^b Ibid. voc. *Marchet*.

^c *Hume*, HIST. TUD. II. 718.

^d Ibid. 719.

gave patents and monopolies, she extorted loans, she forced the people to buy off expensive offices, she demanded benevolences, she increased arbitrarily the duties upon goods, she obliged the sea-port towns to find a certain number of ships, and the counties a certain quota of men, clothed, armed, and sent to the place of their destination; she laid arbitrary embargoes upon merchandise, she demanded new-years gifts, she victualled her navy by purveyance, that is, her officers seized whatever they could of provisions, and paid what price they pleased; the crown enjoyed all rents during the minority of heirs and heiresses. The good lord *Burleigh* proposed to the queen an inquisitorial court for correcting all abuses, which court should profit her revenue more than her father's demolition of the monasteries did him, which court should proceed according to law, and to 'her absolute power, from whence law proceeded^a.' All these proceedings were unwarranted by authority of parliament; and the legislative authority of parliament was of no avail, because it might at any time be set aside by the dispensing power of the crown, and the royal proclamations had the force of laws. *Elizabeth* went so far as to prohibit the cultivation of woad, a very useful dyeing material, because she was possessed with a whim against the smell of that plant. She sent about her officers to break every sword, and trim every ruff they found, that were larger than she allowed, in the same manner as the *Czar Peter* ordered his men to shave by force, and with a blunt razor, all the old-fashioned beards they met^b. *Penry* was hanged for some papers found in his pocket, which allowed the queen's absolute power, but did not assert it quite so strongly as the court desired. Yet all
this

^a *Hume, Hist. Tud. II. 722.*

^b *Ibid.*

this tremendous power did not prevent shocking misrule among the people ; for severe punishment hardens, instead of making subjects obedient. Two or three hundred criminals, or pretended criminals, were to be tried at the assizes in single counties, and innumerable multitudes of vagabonds and ruffians filled the whole nation with rapine, terror, and confusion. These last particulars are a very considerable derogation from the praise of *Elizabeth's* wisdom as a sovereign^a.

See, in *Rymer*, ‘ a noate of all causes, which the most honourable courte of starchamber doth from tyme to tyme heere and determyne, together with the manner and forme of the proceedings in the same causes, as well by processe, as otherwayes^b ;’ according to which nothing could be more inconsistent with liberty, because it excluded all trial by peers, and left the subject at the mercy of the persons who composed it, viz. the great officers of the state, the creatures of the court; the very persons in the whole nation the least fit to have such power.

The court of star-chamber, of which Mr. *Hume* says, he doubts whether there be so absolute a tribunal in *Europe*, had unlimited power of fining, imprisoning, and inflicting corporal punishment for all manner of offences. Privy counsellors and judges were the members of it, who depended immediately upon the court. If the prince was present, he was sole judge^c.

The high commission court had power of punishing, as heresy, any practice offensive to the court.

When serjeant *Maynard*, almost ninety years old, went to compliment the prince of *Orange* on his arrival,

D d 2

‘ You

^a *Hume*, HIST. TUD. 11. 727.

^b *Rym.* FOED. XVIII. 192.

^c HIST. TUD. 11. 717.

‘ You have, I suppose, says the prince, outlived all
 ‘ the lawyers of your time.’ The old gentleman an-
 swered, ‘ I have; and if your Highness had not come,
 ‘ I should have outlived the law itself^a.’

On the contrary, the advantage of liberty appears in
 a very striking light in the following narration :

‘ In the year 1708 happened an accident, the more
 ‘ disagreeable to the *Russians*, as *Peter* was at that time
 ‘ unprosperous in war. *Matueof*, his ambassador to the
 ‘ court of *London*, having obtained an audience of leave
 ‘ of queen *Anne*, was arrested for debt in the public
 ‘ street by two bailiffs, at the suit of some tradesmen,
 ‘ and obliged to give in bail. The plaintiffs asserted,
 ‘ that the laws of commerce were of a superior nature
 ‘ to the privileges of ambassadors ; on the other hand,
 ‘ *Matueof*, and all the other foreign ministers who
 ‘ espoused his cause, maintained that their persons ought
 ‘ to be sacred. *Peter*, by his letters to queen *Anne*,
 ‘ strongly insisted upon satisfaction ; but she could not
 ‘ comply with his desire, because, by the laws of *Eng-*
 ‘ *land*, the creditors had a right to sue for their just
 ‘ demands, and there was no law to exempt foreign
 ‘ ministers from being arrested for debt. The murder
 ‘ of *Patkul*, the Czar’s ambassador, who had been
 ‘ executed the preceding year, by order of *Charles XII.*
 ‘ was in some measure an encouragement to the people
 ‘ of *England* not to respect a character so grossly abused.
 ‘ The other foreign ministers residing then in *London*
 ‘ were obliged to be bound for *Matueof*, and all that
 ‘ the queen could do in favour of the Czar, was to
 ‘ prevail on the parliament to pass an act whereby it
 ‘ was no longer lawful to arrest an ambassador for debt.
 ‘ But after the battle of *Pultowa*, it became necessary
 ‘ to

^a *Burn.* HIST: OWN TIMES, II: 550.

‘ to give a more public satisfaction to that prince.
 ‘ The queen, by a formal embassy, made an excuse
 ‘ for what had passed. Mr. *Whitworth*, who was
 ‘ pitched upon for this ceremony, opened his speech
 ‘ with the following words, Most high and most
 ‘ mighty Emperor. He told the Czar that the queen
 ‘ had imprisoned the persons who had presumed to arrest
 ‘ his ambassador, and that the delinquents had been
 ‘ rendered infamous. This was not true; but the ac-
 ‘ knowledgment was sufficient; and the title of Em-
 ‘ peror, which the queen had not given him before the
 ‘ battle of *Pultowa*, plainly shewed the degree of esti-
 ‘ mation to which he was now raised in *Europe*. This
 ‘ title had been already granted him in *Holland*, not
 ‘ only by those who had been his fellow-workmen in
 ‘ the dock yards at *Sardam*, and seemed to interest
 ‘ themselves most in his glory, but even by the chief
 ‘ persons in the state, who unanimously styled him Em-
 ‘ peror, and celebrated his victory with rejoicings in
 ‘ the presence of the *Swedish* minister. The Czar
 ‘ (says the preface to lord *Whitworth*’s account of *Rus-*
 ‘ *sia*) who had been absolute enough to civilize savages,
 ‘ had no idea, could conceive none, of the privileges
 ‘ of a nation civilized in the only rational manner by
 ‘ laws and liberties. He demanded immediate and se-
 ‘ vere punishment on the offenders; he demanded it
 ‘ of a princess, whom he thought interested to assert the
 ‘ sacredness of the persons of monarchs even in their
 ‘ representatives; and he demanded it with threats of
 ‘ wrecking his vengeance on all *English* merchants, and
 ‘ subjects established in his dominions. In this light
 ‘ the menace was formidable; otherwise happily the
 ‘ rights of a whole people were more sacred here than
 ‘ the persons of foreign ministers. The Czar’s memo-
 ‘ rials urged the queen with the satisfaction which she

‘ herself had extorted, when only the boat and servants
‘ of the earl of *Manchester* had been insulted at *Venice*.
‘ That state had broken through their fundamental
‘ laws, to content the queen of *Great Britain*. How
‘ noble a picture of government, when a monarch that
‘ can force another nation to infringe its constitution,
‘ dare not violate his own. One may imagine with
‘ what difficulty our secretaries of state must have la-
‘ boured through all the ambages of phrase in *English*,
‘ *French*, *German*, and *Russian*, to explain to *Muscovite*
‘ ears and *Muscovite* understandings, the meaning of
‘ indictments, pleadings, precedents, juries, and ver-
‘ dicts; and how impatiently *Peter* must have listened
‘ to promises of a hearing next term? With what asto-
‘ nishment must he have beheld a great queen engaging
‘ to endeavour to prevail on her parliament to pass an
‘ act to prevent any such outrage for the future? What
‘ honour does it not reflect on the memory of that
‘ princess to own to an arbitrary emperor, that even to
‘ appease him she dared not to put the meanest of her
‘ subjects to death uncondemned by law. There are,
‘ says she, in one of her dispatches to him, insuperable
‘ difficulties with respect to the ancient and fundamen-
‘ tal laws of the government of our people, which, we
‘ fear, do not permit so severe and rigorous a sentence
‘ to be given as your imperial majesty at first seemed to
‘ expect in this case. And we persuade ourself that
‘ your imperial majesty, who are a prince famous for
‘ clemency and exact justice, will not require us, who
‘ are the guardian and protectress of the laws, to inflict
‘ a punishment upon our subjects, which the law does
‘ not empower us to do. Words so venerable and
‘ heroic, that this broil ought to become history, and
‘ be exempted from the oblivion due to the silly squab-
‘ bles of ambassadors and their privileges. If *Anne* de-
‘ served

‘ served praise for her conduct on this occasion, it
‘ reflects still greater glory on *Peter*, that this ferocious
‘ man had patience to listen to these details, and had
‘ moderation and justice enough to be persuaded by the
‘ reason of them ^a.’

That the states of *Holland* are what they are in consequence of their being free, appears by the following:

‘ The duke of *Parma* succeeding to the government
‘ of the *Netherlands*, upon the death of *Don John* of
‘ *Austria*, he began his government with the taking of
‘ the strong town of *Mastrecht* from the States, and
‘ next by his reducing the *Walloon* provinces of *Artois*,
‘ *Hainault*, and *Walloon-Flanders*, by capitulation to
‘ the dominion of *Spain*. Hereupon, and for other
‘ reasons, the Prince of *Orange* duly considering the
‘ emulation amongst the great men, as well as that the
‘ difference of religion in the several provinces could
‘ hardly ever be reconciled; and being at the same time
‘ desirous to secure himself, and to establish, as far as
‘ possible, the protestant religion, he procured the
‘ states of *Guelderland*, *Holland*, *Zealand*, *Friesland*,
‘ and *Utrecht*, to meet at the last-named city in this
‘ year, 1579; when they mutually and solemnly
‘ stipulated to defend one another as one joint body,
‘ and with united consent to advise of peace, war,
‘ taxes, &c. and also to support liberty of conscience.
‘ And to complete the present number of seven provinces now of the united *Netherlands*, *Overyssel*, and
‘ *Groningen*, were soon after admitted into the union;
‘ an union which, in a few years, formed the most
‘ potent republic which the world had seen since that
‘ of old *Rome*; and of the greatest commerce and mari-

D d 4

‘ time

^a MOD. UNIV. HIST. XXXV. 454.

‘ time power that (as a republic) ever was on earth
‘ For, that so small a state should between this year
‘ 1579 and 1600, not only preserve its independency
‘ against the then mightiest potentate in *Europe*, but
‘ likewise get footing in *Flanders*, by mastering the
‘ strong and important towns of *Sluyce* and *Hulst*, &c.
‘ to ruin the trade of the most famous city of *Antwerp*;
‘ to conquer the strong forts of *Bergen-op-zoom*,
‘ *Breda*, and sundry other places on the *Mease* and
‘ *Rhine*, &c. also to attack and annoy so great a mo-
‘ narch in his own ports at home; and maugre all the
‘ vast expence of such great exploits, to grow rich and
‘ opulent as well as potent, will, perhaps, scarcely
‘ obtain an historical credit in another century; but
‘ with us it serves only to shew the immense effects of
‘ an universally extended commerce, an indefatigable
‘ industry, joined to an unparalleled parsimony and
‘ œconomy. Soon after this famous period, the indus-
‘ trious and parsimonious traders of these united pro-
‘ vinces pushed into a considerable share of that com-
‘ merce to several parts of *Europe*, which, till then,
‘ *England* had solely enjoyed. Yet the great and happy
‘ accession of the fugitive *Walloons* into *England* about
‘ the same time, whereby the old *English* drapery was
‘ so greatly improved, and sundry new and profitable
‘ manufactures introduced, did more than counter-
‘ balance the loss of some part of the *English* commerce
‘ to the said *Dutch* traders. Nevertheless, the im-
‘ menseness of the fishery of these *Netherland* provinces,
‘ with which they about this time supplied the most
‘ part of the world, is almost incredible; and could
‘ only be described by so great a genius as Sir *Walter*
‘ *Raleigh*. Their *East India* trade soon after this time
‘ commenced, and, like all new trades, brought most
‘ profit in the beginning, frequently so far as twenty
‘ times

times the original outset. In brief, the *Hollanders* soon thrust themselves into every corner of the universe for new means of commerce, and for vending their vastly improved manufactures; whereby *Amsterdam* soon became (what it still is) the immense magazine or staple for almost all the commodities of the universe. Sundry, indeed, were the grounds or causes of so great a change in the condition of these *Netherland* provinces in about less than half a century: One very great one was what Sir *William Temple* observes, viz. “That the persecution for matters of religion in *Germany* under *Charles V.*” in *France* under *Hen. II.* and in *England* under *Queen Mary*, had forced great numbers of people out of all these countries, to shelter themselves in the several towns of the seventeen provinces, where the ancient liberties of the country, and the privileges of the cities, had been inviolate under so long a succession of princes, and gave protection to these oppressed strangers, who filled their cities with people and trade. But when the seven provinces had united, and began to defend themselves with success under the conduct of the Prince of *Orange*, and the countenance of *England* and *France*, and when the persecution began to grow sharp on account of religion in the *Spanish Netherland* provinces, all the professors of the reformed religion, and haters of the *Spanish* dominion, retired into the strong cities of this new commonwealth, and gave the same date to the growth of trade there, and the decay of it at *Antwerp*. It would be too tedious to instance all the other causes of the said vast increase of the wealth and power of the united *Netherlands* in those early times, and afterwards: Such as, 1st, the long civil wars first in *France*, next in *Germany*, and lastly in *England*; which drove thither all that were
perse-

‘persecuted at home for their religion. 2. Moderation
 ‘and toleration to all sorts of quiet and peaceable
 ‘people, naturally produce wealth, confidence, and
 ‘strength to such a country. 3. The natural strength
 ‘of their country improved by their many sluices for
 ‘overflowing it, and rendering it inaccessible to land
 ‘armies. 4. The free constitution of their govern-
 ‘ment. 5. The bank of *Amsterdam*’s safety, security
 ‘and convenience for all men’s property, &c.’^a

Venice has preserved its liberty, says *Voltaire*^b, by being surrounded by the sea, and wisely governed. *Genoa* conquered *Venice* about the end of the fourteenth century; but *Genoa* sunk, and *Venice* rose. *Venice* has, he says, but one fault, viz. the want of a counterpoise to the power of the nobles, and encouragement to the plebeians. A commoner cannot rise in the state, as in ancient *Rome*, or in *England*. *Voltaire* therefore, I suppose, thinks *England* as safe as ancient *Rome*, which we know lost its liberties.

The *Swiss* keep the same unchanged character of simplicity, honesty, frugality, modesty, bravery. These are the virtues which preserve liberty. They have no corrupt and corrupting court, no blood-sucking placemen, no standing army, the ready instruments of tyranny, no ambition for conquest, no debauching commerce, no luxury, no citadels against invasions and against liberty. Their mountains are their fortifications, and every householder is a soldier, ready to fight for his country c.

‘Before the government of *Denmark* was made hereditary and absolute in the present royal family, by that fatal measure in 1660, the nobility and gentry
 ‘lived

^a *Andersf. Hist. Comm.* I. 419.

^b *Ess. sur l’Hist.* II. 107.

^c *Ibid.* 60.

‘ lived in great splendour and affluence. Now they are
‘ poor, and their number diminished. Their estates
‘ will scarce pay the taxes. They are necessitated to
‘ grind their poor tenants. They often give up an
‘ estate to the king, rather than pay the taxes laid upon
‘ it. Sometimes the king will not have them; the tax
‘ is better; the best parts being obliged to make up the
‘ deficiencies which the worst cannot. Very different
‘ from their condition, when they voluntarily contri-
‘ buted to the public expence according to their abili-
‘ ties. They now retire into obscure and cheap places,
‘ unless when they can obtain court-places, of which
‘ there are but few, and of small value. And many of
‘ them are given to foreigners, rather than natives; as
‘ the court thinks it can better depend on those, whose
‘ fortunes it has raised, than on those whom it has
‘ ruined. This policy likewise served the purpose of a
‘ ministry, who wanted to break the spirit of the
‘ nobles. Therefore they give the court-employments
‘ chiefly to the meanest of the nobility, as the fittest in-
‘ struments for executing their tyrannical schemes.
‘ And when such persons grew rich by extortion upon
‘ the people, and clamours began to rise, they stripped
‘ them of their ill-gotten wealth, reduced them to their
‘ former condition, and increased the revenue by the
‘ bargain, giving themselves an air of patriotism in
‘ plundering the people by proxy. So the leviathans
‘ of power deceive and rob the subjects in almost all
‘ countries. The consequence of this oppression is, that
‘ the people of *Denmark*, finding it impossible to secure
‘ property, squander away their little gettings, as fast as
‘ they gain them, and are irremediably poor. Oppres-
‘ sion and arbitrary sway beget distrust and doubts about
‘ the security of property; doubts beget profusion, men
‘ choosing to squander on their pleasures what they
‘ apprehend

‘ apprehend may excite the rapaciousness of their superiors; and this profusion is the legitimate parent of that universal indolence, poverty, and despondency, which so strongly characterize the miserable inhabitants of *Denmark*. When Lord *Molesworth* resided in that country, the collectors of the poll-tax were obliged to accept of old feather-beds, brass and pewter pans, &c. instead of money, from the inhabitants of a town, which once raised 200,000 rixdollars for *Christiern IV*, on twenty-four hours notice^a.’

In *Zealand* (says Lord *Molesworth*) the peasants are as absolute slaves as the negroes in *Jamaica*, and worse fed. They and their posterity are unalterably fixed to the land in which they were born; the landholders estimating their worth by their stock of boors. Yeomanry, the bulwark of happy *England*, is a state unheard-of in *Denmark*; instead of which the miserable drudges, after labouring hard to raise the king’s taxes, must pay the overplus of the profits of the lands, and of their own toil, to the greedy and necessitous landlord. If any of them, by extraordinary labour or skill, improves his farm, he is immediately removed to a worse, and the improved spot let to another at an advanced rent.

The quartering and paying the king’s troops (in all absolute dominions, vast armies are kept up,) are another grievance no less oppressive. The late experience of our own inn-keepers, and their complaints to parliament, *A. D.* 1758, may give us an idea of the condition of the *Danish* peasants, oppressed by those insolent inmates, who lord it over all wherever they have power^b. The authors afterwards add to the oppression of the wretched boors, by obliging them to furnish the king, and every little insolent courtier, with horses and waggons

^a MOD. UNIV. HIST. XXXII. 13.

^b Ibid. 16.

waggon in their journies, in which they are beaten like cattle. In consequence of this misery, *Denmark*, once very populous, as appears from the swarms of the northern nations, which in former ages over-ran all *Europe*, is become thin of inhabitants; as poverty, oppression, and meagre diet do miserably check procreation, besides producing diseases, which shorten the lives of the few who are born^a. All this the rich, and thriving, and free people of *England* may bring themselves to, if they please. It is only letting the court go on with their scheme of diffusing universal corruption through all ranks, and it will come of course.

The *Scots* and *Welch* climbed their churlish mountains, to escape from *Roman* chains, and there remained unconquered. The *Dutch* escaped to the stinking bogs of the Low Countries, to get free from the tyranny of *Spain*. The *Pennsylvanians* and *New-Englanders* abandoned the fruitful plains of their sweet native country, crossed the vast *Atlantic*, and pierced the haunts of savages and wild beasts, rather than submit to ecclesiastical tyranny. *Don Pelayo*, with all the brave spirits of *Spain*, betook themselves to the inhospitable rocks, and dreary dens of *Liebana*, to escape the *Moorish* fetters, and expelled the tyrants. The brave *Corseans*, a handful of men, maintained, in our times, a stubborn and bloody war of some years continuance, against the haughty *Genoese*, and the mighty monarchy of *France*, the sworn enemy of the liberties of *Europe*.

In *Turkey* there is no written law; no parliament; no property; no rank, but that of serving the Grand Signor. And the family of the emperor's first slave, or prime vizier, sinks into their former obscurity, the moment he is dispatched by the mutes, which is the common end of those ministers of state.

‘ The descendants of the heroes, philosophers, orators, and free citizens of *Greece*, are now slaves to the Grand *Turk*. The posterity of the *Scipios* and *Catos* of *Rome* are now singing operas, in the shape of *Italian* eunuchs, on the *English* stage^a.’ Whence this grievous fall? *Ans.* *Greece* and *Rome* have lost their liberties.

Reflect, my dear countrymen, on these instances of resistance to tyranny, which do so much honour to human nature, think of the glorious struggles of the ancient *Grecian* republics. Think of the resistance made by *Carthage*, by *Spain*, and other ancient free nations, to the unbounded ambition of the all-conquering *Romans*. Remember the height of glory to which freedom has raised so many people, which otherwise would have continued in obscurity. Think of the free States of *Holland*, of *Venice*, of *Malta*. Remember the riches and power of the free *Hans-towns*. But above all, reflect on the glorious figure your ancestors make in history.

Remember, O my friends, the laws, the rights,
The generous plan of freedom handed down
From age to age, by your renowned forefathers;
So dearly bought, the price of so much blood. ADDIS.

Shall it be said, that the history of *England* during the greatest part of the 17th century is filled with instances of resistance to the tyranny of kings, and that the following century exhibits little else than a series of shameful concessions to the encroachments of corrupt courts?

‘ Here is the natural limitation of the magistrate’s authority: he ought not to take what no man ought to give; nor exact what no man ought to perform:’
‘ all

^a *Bolingbr. POLIT. TRACTS*, 270.

all he has is given him, and these that gave it must judge of the application. In government there is no such relation as lord and slave, lawless will, and blind submission; nor ought to be amongst men: but the only relation is that of father and children, patron and client, protection and allegiance, benefaction and gratitude, mutual affection and mutual assistance^a.

It is not bellowing out for liberty alone, that will keep a people free. *Poland* is a republic, and the people are passionately fond of liberty, yet live in a perpetual state of servitude to their own avarice, profusion, and necessities, whereby they are rendered the infamous pensioners of foreign states, the creatures of their own kings, or the hirelings of some faction^b. The peasants are the most perfect slaves on earth. If one lord kills another's peasant, he is only obliged to make good the damage. They have no property. They have no possible means for becoming free; and have no redress against the most cruel and unjust usage of their lords^c. We have seen this wretched people sunk, if possible, still lower in our times. Liberty seems indeed to be bidding mankind farewell, and, like *Astræa*, to be taking her flight from the earth. All *Europe* was once free. Now all *Europe* is enslaved, excepting what shadow of liberty is left in *England*, *Holland*, *Switzerland*, and a few republics in *Italy*. And such is the encroaching nature of power, and so great the inattention of mankind to their supreme worldly interest, that the states of *Europe*, which still boast themselves free, are like to be soon in the same condition with the others, which do not even pretend to possess any degree of liberty.

Pursuing

^a *Cato's* LETT. II. 229.

^b *MOD. UNIV. HIST.* XXXIV. 5.

^c *Ibid.* 6.

Pursuing these gloomy ideas, I see,—how shall I write it?—I see my wretched country in the same condition as *France* is now. Instead of the rich and thriving farmers, who now fill, or who lately filled, the country with agriculture, yielding plenty for man and beast, I see the lands neglected, the villages and farms in ruins, with here and there a starveling in wooden shoes, driving his plough, consisting of an old goat, a hide-bound bullock, and an ass, value in all forty shillings. I see the once rich and populous cities of *England* in the same condition with those of *Spain*; whole streets lying in rubbish, and the grass peeping up between the stones in those which continue still inhabited. I see the harbours empty, the warehouses shut up, and the shopkeepers playing at draughts, for want of customers. I see our noble and spacious turnpike roads covered with thistles and other weeds, and scarce to be traced out. I see the studious men reading the *State of Britain*, the *Magazines*, the *Political Disquisitions*, and the histories of the 18th century, and execrating the stupidity of their fathers, who, in spite of the many faithful warnings given them, sat still, and suffered their country to be ruined by a set of wretches, whom they could have crushed. I see the country devoured by an army of 200,000 men. I see justice trodden under foot in the courts of justice. I see *Magna Charta*, the *Habeas Corpus* act, the bill of rights, and trial by jury, obsoleted, and royal edicts and arrets set up in their place. I see the once respectable land-owners, traders, and manufacturers of *England* sunk into contempt, and the placemen and military officers the only persons of consequence.

This is a fearful and horrid prospect. I wish it could be, upon sure grounds, alleged, that it is merely visionary. If all history be not fable and fiction, so far from

from visionary, it is the very condition, my dear countrymen, into which you are sinking, and where you will soon be irrecoverably fixed, if you do not bestir yourselves and prevent it, while it is in your power to prevent it.

Be the consequences what they will, I thank Heaven, I have endeavoured to honour virtue and truth, and to detect and disgrace corruption and villany. I have unburdened my own conscience. I have delivered my own soul. I have sounded a loud and distinct alarm. I have endeavoured to raise the standard of liberty higher, and to unfurl it wider, than has been attempted by any private person before. Whether my well-meant attempt will prove effectual for rousing you from your long and dangerous lethargy, remains to be seen. Of what I have myself written, I say nothing; but surely I may affirm, that far the greatest part of the matter I have collected is highly deserving of the public attention. And I think hardly any person will pretend to publish on political subjects any thing more interesting, or to treat those subjects in any better, or indeed in any other manner, than is done by the illustrious writers and speakers, from whom I have made my collections.

‘The nation will hold as long as our lives will hold,’ is the heroic and patriotic way of speaking among some. But who told them how long the nation would hold? The *Danes* were free one day; slaves the next.

What mortal (who does not pretend to be master of the black art) will pretend to determine how long the *British* empire may last?

A country may lose its liberties in a very short time, though there were now a very high spirit of liberty appearing in it, which is far from being the case in *England*. In the minority of *Lewis XIV.* *A. D.* 1647, the parliaments and supreme courts of *France* continued

sitting in spite of the king's order to dissolve them. On this *Mazarine* orders *Blancmenil* the first president, and the counsellor *Broussel*, to be arrested. All *Paris* rises. The streets are barricaded. The queen regent finds herself obliged to set the prisoners at liberty. *Mazarine* afterwards arrests others. The parliament persists in, and heightens its demands. *Mazarine* finds himself obliged to recall those he had banished. The court is forced to yield; to remove taxes, and to make a regulation, that persons, accused of state crimes, shall be tried according to law, not punished arbitrarily by order of the court. Many new lords were created, to strengthen the court-party. The insurrections of the people force the royal family to make their escape from the palace of the *Louvre*, at four in the morning, and fly to *S. Germain en Laye*. *Turenne* saves the young king and queen mother twice from being taken. *Mazarine* is declared, by the parliament of *Paris*, a public disturber of the peace, and enemy to their kingdom, a price set on his head, and all cardinals forbidden to be of the king's council. Other parliaments and provinces revolt. The mob force their way into the queen's apartments, and undraw the young king's curtains at midnight, to see whether he was safe, suspecting, that she had conveyed him away again. All *France* is in rebellion against an encroaching and tyrannical court.

Would any one in those times, when the flame of liberty blazed so high, have allowed it to be possible, by any management whatever, to quench it so effectually in five years, that *Lewis XIV.* with an army of only 1200 men, then but a youth, on his return from hunting, having been informed, that the parliament of *Paris* was met without his leave, went directly, booted and spurred as he was, and turned the members
of

of it out of the house; and no resistance made either at the time, or afterwards ^a?

The appearance of a spirit of liberty in a nation is no argument, that its liberties are absolutely safe. There was a great appearance of a spirit of liberty at *Rome* in *Sylla's* time. There was enough of the spirit of liberty in *Cæsar's* time, to lay the invader of liberty weltering in his own blood in the open senate-house. There was enough of the spirit of liberty, after his execution, to produce the battle of *Philippi*. Yet all confederate *Romans* saw the liberties of their country to be in danger, as early as the days of *Lucullus's* conquests in *Asia*.

The liberties of a country can only be safe in the difficulty of enslaving it. It is folly to trust to such securities, as, 'that the grandees know if the state is
'ruined, they must be ruined with it. The officers of
'the army will not promote slavery, because they are
'gentlemen of families, and will not enslave their own
'families. There is a great spirit of liberty still in the
'nation. We have a good king on the throne. We
'have good laws,' &c. If these securities had been sufficient, how many enslaved states in ancient and modern times had preserved their liberties!

A nation is then, and only then, secure against foreign invasion, when it has within itself, by means of a fleet, or of the people's being generally trained to arms, a greater force than any that can probably be brought against it; and when there is such a prevalence of public spirit, integrity, and contempt of riches, that the government are not likely to betray it to a foreign enemy. A nation is then, and only then, secure against the encroachments of its own government,

E e 2

when

^a MOD. UNIV. HIST. XXV. 36, 38, 40, 45, 51, 52, 64.

when there is no such prevalency of luxury and corruption, as to give reason to apprehend danger from the court, and when the people have in themselves a sufficiency of public spirit to prevent their being bought, and a sufficiency of force in their own hands, and ready for immediate exertion, to prevent their being violently crushed by a tyrannical court or nobility.

As soon as any one of these barriers is removed, there remains nothing but the fearful expectation of the enslaving chain, that is to gall every free and stubborn neck.

‘ Men, says the excellent *Davenant*, do as industriously contrive fallacies to deceive themselves, when they have a mind to be deceived, as they study frauds whereby to deceive others, and if it leads to their ends, and gratifies their present ambition, they care not what they do, thinking it time enough to serve the public when they have served themselves; and in this view very many betray their trusts, comply, give up the people’s right, and let fundamentals be invaded, flattering themselves, that when they are grown as great as they desire to be, it will be then time enough to make a stand and redeem the commonwealth. The same notion led *Pompey* to join with those who intended to subvert the *Roman* liberties; but he found them too strong, and himself too weak, when he desired to save his country. In the same manner, if there be any in this nation who desire to build their fortunes upon the public ruin, they ought to consider that their great estates, high honours, and preferments, will avail them little, when the subversion of liberty has weakened and impoverished us so, as to make a way for the bringing in of a foreign power^a.’

People,

^a *Daven.* 11. 302.

People, who know human nature, do not expect from mankind much disinterested public spirit.

Nec reperire licet multis e millibus unum

Virtutem precium qui putet esse suum.

SIL. ITAL.

But while the worthless and sordid affect to sneer at the anxiety of those who see farther than themselves; they would do well to consider, that to say, ‘What care I for politics?’ is to say, ‘What care I for my liberty, my religion, my house, my lands, my ships, my commerce, my money in the funds, my wife, my children, my mistress, my bottle, my club, my plays, operas, masquerades, balls, pleasures, profits, honour, and life?’ For on the safety of our country depends the safety of all we have; or hope to have in this world. A tyrannical government can deprive a man of every thing, but his soul. They cannot send him to hell; but they can do every thing short of that. They can, and do, make this world a hell. If our country comes to be enslaved, any one of these, or all of them, may come into danger. And, that this country may come to be enslaved, cannot seem improbable to any one, who knows, that this country, and almost all the countries in the world, have been enslaved; much less will it seem improbable to any person, who knows a little of history, and sees, that this country has upon it every symptom of a declining state, especially that most decisive one, of an universal decay of public spirit.

In most histories, different proceedings produce different catastrophes: but in the history of our parliamentary proceedings there is a corrupt sameness, which makes the perusal execrably stupid. A good motion made by the opposition; quashed by ministerial influence. An impudent demand made on the people, to

fill the pockets of the minister's dependents, granted. A king's (that is, a minister's) speech trumping up the happiness of an enslaved, corrupt, and ruined nation ; echoed back by the house, that is, by the minister's tools in the house ; and so on to the end of the chapter. Whenever we read the motion, we know beforehand its fate. We peruse the arguments on both sides ; we see on one side massy sterling sense ; but we see it weighed up by massy sterling guineas. These are shocking symptoms of a tendency to ruin in a state. But lord *Bathurst* in his following letter to *Dean Swift*, goes still farther^a.

‘ I am convinced, says he, that our constitution is
 ‘ already gone, and we are idly struggling to maintain,
 ‘ what in truth has been long lost, like some fools
 ‘ here, with gout and palsies at fourscore years old,
 ‘ drinking the waters in hopes of health again. If
 ‘ this was not our case, and that the people are already
 ‘ in effect slaves, would it have been possible for the
 ‘ same minister who had projected the excise scheme
 ‘ (before the heats it had occasioned in the nation were
 ‘ well laid) to have chosen a new parliament again ex-
 ‘ actly to his mind ? And though perhaps not alto-
 ‘ gether so strong in numbers, yet as well disposed in
 ‘ general to his purposes as he could wish. His master,
 ‘ I doubt, is not so much beloved, as I could wish he
 ‘ was ; the minister, I am sure, is as much hated and
 ‘ detested as ever man was, and yet I say a new par-
 ‘ liament was chosen of the stamp that was desired,
 ‘ just after having failed in the most odious scheme that
 ‘ ever was projected. After this, what hopes can
 ‘ there ever possibly be of success ? Unless it be from
 ‘ confusion, which God forbid I should live to see.
 ‘ In

^a Lord *Bathurst* to *Dean Swift*, LOND. MAG. 1768, p. 114.

‘ In short the whole nation is so abandoned and corrupt, that the crown can never fail of a majority in both houses of parliament, he makes them all in one house, and he chuses above half in the other. Four and twenty bishops, and sixteen *Scotch* lords, is a terrible weight in one. Forty-five from one country, besides the West of *England*, and all the government boroughs is a dreadful number in the other. Were his majesty inclined to-morrow to declare his body coachman his first minister, it would do just as well, and the wheels of government would move as easily as they do with the sagacious driver, who now sits on the box. Parts and abilities are not in the least wanting to conduct affairs; the coachman knows how to feed his cattle, and the other feeds the beasts in his service, and this is all the skill that is necessary in either case. Are not these sufficient difficulties and discouragements, if there were no others, and would any man struggle against corruption, when he knows, that if he is ever near defeating it, those who make use of it, only double the dose, and carry all their points farther, and with a higher hand, than perhaps they at first intended.’

Some are of Lord *Bathurst*’s opinion, that our liberties are already gone: others think them only in extreme danger. Whichsoever is the case, no friend to *England* will advise you, my good countrymen, to sit still. If your liberties are going, you ought to bestir yourselves for their preservation; if they are gone, for their recovery.

Let no free people deceive themselves by the false persuasion, that it must take up a long series of years to wear out their liberties, because it was the work of ages to establish their constitution. Great works re-

quire long time in finishing. A short space destroys them. A first rate ship of war is several years in building. She slips a plank, or founders at sea; is swallowed up in a moment. The great city of *London* was many ages in building; the conflagration in 1666, in four days reduced the work of ages to ruins.

Farther, Have you considered, my dear countrymen, that it is not in your option to preserve, or give up your liberties as you please, any more than your lives. Liberty, and life, are the rich gifts of all gracious Heaven. And you cannot think it lawful to spurn from you your Maker's godlike bounty, which he gave you in trust to be preserved, and enjoyed by you. Besides, if it were lawful for you to sell *yourselves* for nothing, you will certainly not pretend that you have power to enslave your *posterity* * for ever. I therefore charge you before Almighty God, and as you shall hereafter answer to him, to take care how you trifle in a matter of such awful importance. If you be not absolutely certain (which is impossible) that there is no account to be given hereafter, you run yourselves into the most dangerous condition that can be imagined, by making yourselves partakers of the guilt of those who are actively concerned in enslaving your country. In what light do we look upon him, who knows of a murder to be committed, and makes no attempt to prevent it?

He who pretends to exempt himself from all concern for his country, may as well reject all obligation to do his duty to God, to his neighbour, or himself. Yet every man knows, that he is obliged to perform these duties; and

* 'No people can alienate their posterity's immunities.'

and that he is obliged to obey the laws of his country, preferably to those of his parents, and in neglect of, and opposition to his own interest.

It is undoubtedly dangerous for the people to be employed in redressing grievances. It is not safe to teach them to unite, and to give them the means of knowing their own strength. When they go to redressing, they generally do great mischief, before they begin redressing. But this is the fault of those who resist them. They are generally in the right, as was the case at *Florence*, in the 14th century^a. The tyranny of the eighth field deputies was intolerable, and the people were right in demanding the abolition of it; all that was wrong was the magistrates refusing the people redress, and the people's redressing themselves, in too violent a manner. Commotions of this kind, with all their terrible consequences, are almost always owing to the unreasonable difference made between princes, or nobles, and the people, by prerogative or privilege. The people may be brought, by inveterate tyranny, to bear patiently to see the most worthless part of mankind (for surely the great by mere birth, in all ages and countries, are commonly among the most worthless of mankind) set up above them, and themselves obliged to crouch. But sometimes the people grow uneasy under this. And if the people rouse to vengeance, woe to those who stand in their way. Let merit only be honoured with privilege and prerogative, and mankind will be contented. The wise ancients understood this, and therefore were very cautious of making differences. A crown of grass, or a couple of twigs, was the reward of the most heroic actions. 'I do not like that *Aristides* should be distinguished by
' the

^a MOD. UNIV. HIST. XXXVI. 149.

‘the title of Just, any more than myself,’ says the *Athenian*, and puts in his shell for banishing that great and good man. This indeed was the very design of the ostracism, viz. to prevent unreasonable inequalities, and the desire of power and pre-eminence, which always produces disturbance.

Nothing is much more formidable, than a popular insurrection. When 60,000 men, in the time of *Richard II.* assembled, and demanded redress of grievances, they made the king and nobles tremble. The government was glad to quiet them by any means; and granted them charters after charters^a. There were many lives lost, and much mischief done on that occasion. All wise governments will carefully avoid irritating the people beyond measure. And all sound patriots will avoid rousing the people, if redress can be any other way obtained. Therefore I do not propose having recourse to force. What I propose is, to apply the power of the people, guided, limited, and directed by men of property, who are interested in the security of their country, and have no income, by place or pension, to indemnify them for bringing slavery and ruin upon their country—to apply this power (if found absolutely necessary) to prevent the application of the same power unrestrained, unlimited, and directed by mere caprice, or the spirit of party. Perhaps, when things come to a crisis, which most probably they will soon, our government may recollect themselves so far as to grant voluntarily, and with a good grace, that redress, to which the people have an undoubted right, and which they see the people resolute to have. I will, therefore, attempt to draw the sketch of such a plan for
retrieving

^a *Brady*, 111. 346.

retrieving the nation, and restoring the constitution, as to me seems the most promising. Might the hand of an angel guide my pen, or rather an abler pen—— my country might yet be saved. Or might I have for a rostrum the highest of the *Peruvian Andes*; could I borrow the angelic trumpet, whose blast is to break the slumber of ten thousand years; and might I have for my audience the whole human race; on what subject could I address them, that would be more interesting to them, than warning them to preserve their liberty and their virtue?

But I need not have recourse to a mountain for a pulpit, nor to the angel's trumpet to swell my voice. If the still small voice of reason will not move you, all the terrors of mount *Sinai*, or of the day of judgment, will not produce the proper effect.

In the mean time, for our encouragement, that the spirit of liberty is not totally extinct in the people, we observe that some of the constituents have required their candidates to promise solemnly, that if elected, they would promote certain reformatations, and the correction of various gross abuses.

It were to be wished that those who first drew up the terms of the engagements, had not overloaded their demands; but that they had confined themselves to one only article. I mean the endeavouring to get an independent parliament. An independent parliament would at all times secure the rights of the people, as has been shewn in the foregoing volumes. A candidate's refusing to promise his best endeavours in the house, if elected, for obtaining independent parliaments, would be an open declaration, that, in aspiring to a seat, his object was not the service of his country, but the gratifying his own ambitious or avaricious private views.

One

One set of readers will pretend to have found me inconsistent with myself. This writer, they will say, must either mean to shew us that we are in danger, and how to escape that danger, or his labour can be of no service. And yet in several parts of his work he magnifies the peril, from the army, as if a tyrannical prince or ministry could at any time, by its means, seize our liberties at their pleasure. If this be true, how can this writer pretend to talk of our extricating ourselves? If this be true, the point is decided, the case is desperate, our liberties are gone; we have nothing left, but to bear patiently what we have brought upon ourselves. But do not you, my good countrymen, suffer yourselves to be duped by such quibbles as these. I have not absolutely pronounced upon the state of our liberties. It is the very point which remains to be determined. If a nation is in the condition in which we now see *France*; there can be no doubt concerning its liberties; they are *utterly* gone. And yet no wise man will say that they are *irretrievably* gone. On the contrary, if a nation were in the condition we now see *Holland*, or rather on a much better footing as to liberty than that commonwealth is now upon; we should consider the liberties of that state as in no immediate danger. But the condition of *England* is neither that of *France*, nor that of *Holland*, which renders it on the one hand highly improper to sit still unconcerned, as if all was well; or on the other, to give all up as if irretrievable and desperate.

And now——in the name of all that is holy——let us consider whether a scheme may not be laid down for obtaining the necessary reformation of parliament.

Before all other things, there must be established a
GRAND NATIONAL ASSOCIATION FOR RESTORING
THE

THE CONSTITUTION. Into this must be invited all men of property, all friends to liberty, all able commanders, &c. There must be a copy of the Association for every parish, and a parochial committee to procure subscriptions from all persons whose names are in any tax-book, and who are willing to join the Association. And there must be a grand committee for every county in the three kingdoms, and in the colonies of *America*.

‘ The people at large, when they lose their constitutional guard, are like a rope of sand, easily divided afunder; and therefore when the acting parts of the constitution shall abuse their trust, and counteract the end for which they were established, there is no way of obtaining redress but by associating together, in order to form a new chain of union and strength in defence of their constitutional rights. But instead of uniting for their common interest, the people have suffered themselves to be divided and split into factions and parties to such a degree, that every man hath rose up in enmity against his neighbour; by which they have brought themselves under the fatal curse of a kingdom divided against itself, which cannot stand^a.’

By the readiness of the people to enter into the associations, it may be effectually determined, whether the majority are desirous of the proposed reformatations. This, as has been observed before, is a matter of supreme consequence, for resistance to government, unless it be by a clear majority of the people, is rebellion. Therefore, with all due submission to the judgement of Bishop *Burnet* upon that point, the true criterion between rebellion and reformation consists not
in

^a HIST. ESS. ENGL. CONST. 151.

in the atrociousness of the abuses to be reformed, but in the concurrence of the people in desiring reformation. For whatever the majority desire, it is certainly lawful for them to have, unless they desire what is contrary to the laws of God.

Confederacies and associations have been usual in all countries, especially in *England*.

A confederacy of the nobility of *France* was formed against that weak and worthless prince *Lewis XI.* in which 500 were concerned; and their places of rendezvous were the most public, as the church of *Notre Dame*. At last they assembled an army of 100,000 men. Yet the king's party never found them out till they had got together a great force^a.

King *John* summoned the barons to pass the seas to him in *Normandy*, and assist him to quell his rebellious subjects. They refused, unless he would promise to restore and preserve their liberties. This was the first attempt toward an association for a plan of liberty, according to Mr. *Hume*^b.

Lord *Lyttelton* mentions an association in the time of *William* the Bastard, to defend that blessed saint, and all his territories, both within and without the realm^c.

The opposition in those days was between a solitary tyrant (for *John* could not command the army without the concurrence of the barons) and all *England*. In *Charles I*'s time, the opposition was between a frantic bigotted king, and a brave and free parliament. In our times, the opposition is between a corrupt court, joined by an innumerable multitude of all ranks

^a MOD. UNIV. HIST. XXIV. 53.

^b *Hume*, HIST. I. 356.

^c HIST. HEN. II. III. 85.

ranks and stations, bought with the public money, and the independent part of the nation.

The general association all over *England* for the defence of *Elizabeth*, *A. D.* 1586, and afterwards for that of *William* and *Mary*. Catholic leagues, protestant leagues, the *Hanseatic* association, the solemn league and covenant, and the non-importation association in *America*, &c. are all acts of the people at large ^a.

Upon the lords throwing out the exclusion-bill, another was brought into the house of commons for an association for the support of the protestant religion, and exclusion of the duke of *York* ^b. They voted, that till the exclusion-bill should pass, no supplies ought to be granted the king; and lest he should raise money on credit, they threatened their vengeance on those who should lend the king on the credit of any tax. The sequel shewed how much the commons were in the right in all these proceedings; and of what consequence an uncorrupt house of commons is.

A grand national association against popery was proposed in the house of commons, *A. D.* 1680. A tyrannical government is an association with a vengeance. Why should not the people associate against it? Resolved, that it is the opinion of this house, that the house be moved that a bill be brought for an association of all his majesty's protestant subjects for the safety of his majesty's person, the defence of the protestant religion, and for preventing the duke of *York*, or any other papist, from succeeding to the crown ^c.

A. D. 1744, the merchants of *London*, to the number of 520, associated themselves for the support of public

^a ACT. REG. IV. 40.

^b *Hume*, HIST. STUARTS, II. 329.

DEB. COM. II. 30.

public credit, and effectually supported it at a very perilous conjuncture^a. The whole county of *York* was associated against the rebels, and several noblemen raised regiments at their own expence.

See the act for associating the kingdom in defence of king *William III.* *A. D.* 1696^b. The court was glad to encourage such an association of the *people* in a time of danger. They did not then insist, as has been done since, that the people are annihilated, or absorbed into the parliament; that the voice of the people is no where to be heard but in parliament; that members of parliament are not responsible to their constituents, &c. The association was begun by the people, and parliament gave it sanction afterwards. Surely it is as necessary to associate for preserving the kingdom, as it was then for preserving the king. The associated 'engage to stand by and assist each other to the utmost
' of their power in support and defence of king *William*;
' and if his majesty comes to a violent or untimely
' death, they oblige themselves to stand by each other
' in revenging the same upon his enemies and their adherents,' &c. Put instead of a design by papists,
' against the life of the king;' a design by courtiers,
' against the life of the constitution;' and you have here a model for the association for restoring annual parliaments, adequate representation, and an unbribed house of commons.

The next question is, Who shall set himself at the head of this grand association?

In a monarchy, we know full well who ought to be at the head of all schemes for the general good. And would to God, the Father of his people would lay hold of such an opportunity of declaring himself a friend to
inde-

^a CONTIN. RAP. VIII. 24.

^b STAT. AT LARGE, III. 236.

independent parliaments ! How glorious would the character of *Augustus* have appeared to all posterity, had he really intended what he only affected to intend ; I mean the restoration of the republican government upon the fall of *Julius*, which he certainly had power to bring about, notwithstanding his pretences to the contrary ? In the same manner, would not every worthy *British* bosom glow with affection, would not every angel in heaven tune his lyre to the praises of that monarch, who, shaking off and trampling under his feet the ministerial trammels, should dare to think for himself, and to speak for himself, should astonish both houses of parliament, and all *Europe*, by opening a new parliament, or a new session, with a speech composed by himself, in which he should condemn the long prevalence of corruption in the legislative assemblies, and should earnestly recommend to them the making and bringing in effectual bills for restoring annual parliaments, for making representation adequate, for exclusion by rotation, and for limiting the number of placemen and pensioners sitting in the house. But if our sovereign for that time being should judge such interposition improper, the great privileges of our nobility are to be the king's counsellors, the protectors of the constitution, and the people's example. Ought not therefore our independent nobility to take care that such a scheme be properly headed ? But should our nobles think otherwise of this subject, and decline assuming to themselves a principal part in the conduct of this infinitely important, though not infinitely difficult, business, let the great, the rich, the independent city of *London* take the lead.

‘ The corporation of *London* has, since the Restoration, usually taken the lead in petitions to parliament for the alteration of any established law^a.’

VOL. III.

F f

In

^a *Blackst. COMMENT. IV. 147.*

In the famous association signed by the illustrious Seven, for inviting over the prince of *Orange A. D.* 1688, it is observed, that the people were generally dissatisfied. The Seven lay great stress on this, as likely to be a support to the prince in his enterprize, if they (the people) could have ‘such a protection to countenance their rising, as would secure them from being destroyed before they could get into a posture of defence.’ They observed that the army was divided, the officers discontented, and the men strongly set against popery. And that the seamen were almost all against the king ^a.

The objects of such a general association as I propose are, 1. The securing of public credit. 2. Obtaining the undoubted sense of the people, on the state of public affairs. 3. Presenting petitions, signed by a clear majority of the people of property, for the necessary acts of parliament. 4. To raise, and have in readiness, the strength of the nation, in order to influence government, and prevent mischief.

If any person is alarmed at the boldness of this paragraph, let him remember that it is less than what was done at the Revolution. For it was not certain, at that remarkable period, that the *majority* of the people were for the exclusion. Besides, the restoration I propose is a much less considerable alteration, though like to be of much greater public advantage, than the setting aside the whole royal family of the *Stuarts*. And let it be ever remembered, that rebellion is not merely opposition to government; if it were, then was the Revolution direct rebellion. The opposition of a minority to government, backed by a majority, is proper rebellion.

^a *Dalr.* 11. 228.

lion. The opposition of a majority of the people to an obstinate government is proper patriotism. You have therefore, my good countrymen, only to make it certain beyond all possibility of doubt, that you have the majority on your side. Whatever they choose is right.

Let the first business of the *London* association be, as I said, securing public credit; the next, for *petitioning*, exclusive of all views to any thing *farther*, and as taking for granted, that the petitions will be effectual. Let this example be followed by all the great cities, towns, counties, corporate bodies, and faculties throughout the island, and the same in *Ireland* and the colonies.

The people of *Ireland* extorted the passing of the bill for limiting the length of their parliaments, by assembling to the number of twenty thousand men, securing all the avenues to the parliament-house, and threatening vengeance on all the members, if the bill was not passed. But for this spirited behaviour, they had been jockeyed out of that salutary act ^a.

A. D. 1588, the year of the Barricades, the *Parisians* rose, and drove out six thousand regular troops, chiefly *Swiss*, and defeated the king's guards ^b.

A large mob, *A. D.* 1773, surrounded the palace at *Madrid*, and insisted, that the effects lately taken from some *Jesuits* should be restored to their relations. The guards were called to disperse them; but would not fire upon the people. The court was obliged to yield ^c.

F f 2

It

^a LOND. MAG. 1768, p. 132.

^b MEM. Sully, i. 267.

^c WHITEHALL EVEN. POST, March 27, 1773.

It is always to be expected that, as *Sallust* says, men should act with more earnestness for the preservation of their all, than the partisans of tyranny for superfluous power.

In the decisive battle of *Marston Moor*, the tyrant's army and the parliament's were nearly equal, about fourteen thousand each. But of the former four thousand were killed, and fifteen hundred taken; of the latter only three hundred lost in all ^a.

‘ Provocation will sometimes rouse valour, when a
‘ sense of honour will not. In the year 1746, when
‘ *Botta*, the *Austrian* general, demanded a severe con-
‘ tribution of the *Genoese*, they begun paying, and all
‘ went on quietly, though it was with the utmost dif-
‘ ficulty that the second payment was made; but the
‘ *Austrians* being possessed of a notion which was not
‘ groundless, that though the government of *Genoa*
‘ was exhausted, yet that many of their individuals
‘ were immensely rich, still advanced in their demands;
‘ and the senate took care that all the sums paid to the
‘ *Austrians* should be carried with great parade to their
‘ quarters in full view of the people. This had the
‘ effect they secretly desired, which was to render mat-
‘ ters ripe for a revolt, without their being openly con-
‘ cerned in it; though some of the senators were bold
‘ enough to disguise themselves in *Plebeian* dresses, and
‘ mixing with the common people blew the flame of
‘ discontent, which, notwithstanding all the terror
‘ of the *Austrian* general and army, at last broke out.
‘ For the siege of *Antibes* being resolved upon, *Botta*,
‘ amongst other pieces of artillery, which he designed
‘ to be put on board the *British* fleet for carrying on
‘ that

^a *Macaul.* IV. 119.

‘ that siege, ordered a large mortar, which happened
 ‘ to be overturned in the streets, and an *Austrian* officer
 ‘ endeavouring to oblige some of the inhabitants of
 ‘ *Genoa* to assist in dragging it down to the harbour,
 ‘ they refused; and he striking one of them with his
 ‘ cane, a shower of stones from the rest obliged the
 ‘ *Austrians* for that night to retire. Next day, when
 ‘ *Botta* prepared to chastise the insurgents, he found
 ‘ them grown to a formidable head, and without en-
 ‘ tering into the particulars of the insurrection, all the
 ‘ intrepidity and discipline of his troops could not with-
 ‘ stand that spirit of liberty which once more animated
 ‘ these republicans, who for many years had been
 ‘ looked upon as degenerated, even to a proverb. Ac-
 ‘ cording to *Bonamia* a *British* man of war had been
 ‘ sent thither by his *Sardinian* majesty to bring off for
 ‘ him part of the plunder; and we are told, that that
 ‘ monarch was by no means pleased with the indepen-
 ‘ dent negociation which the *Austrians* had entered into
 ‘ with the *Genoese*. However that may be, it is cer-
 ‘ tain, that *Botta* in his turn made application for
 ‘ some respite of hostilities. But the inhabitants of
 ‘ the neighbouring villages, seized with the same spirit
 ‘ as these of *Genoa*, had by this time taken arms, and
 ‘ poured into the city. The effect was, that the
 ‘ *Austrian* regulars, notwithstanding some advantages
 ‘ they had gained at first, were drawn from one strong
 ‘ post to another, till *Botta* applied to the senate, and
 ‘ under pretence of the capitulation, demanding that
 ‘ they should unarm their soldiers, and join with him
 ‘ in suppressing the insurrection. The doge and senate
 ‘ of *Genoa*, upon this occasion, behaved with wonder-
 ‘ ful address, and temporised so well, that they neither
 ‘ discouraged the insurgents, nor did they give *Botta*

' any just handle to accuse them of breach of faith.
 ' By this time the insurgents, by the help of some
 ' *French* and *Spanish* officers, who were prisoners to the
 ' *Austrians*, but had mingled themselves in disguises
 ' with the *Genoese*, were disciplined and rendered excel-
 ' lent troops, and they had regularly fortified all the
 ' strong posts of the city; nor would they longer hear
 ' of any terms, but that the *Austrians* should evacuate
 ' the city, restore their artillery, and give them an
 ' acquittance of all further demands of any kind.
 ' Upon this *Botta*, after another desperate but fruitless
 ' attempt to recover possession of the city, found him-
 ' self obliged to evacuate the same, which he did with
 ' great loss to himself, and satisfaction to the *Genoese* ^a.²

Put no trust in any *living* man, or set of men, far-
 ther than you yourselves see. The dead have no de-
 sign upon you. Therefore have I called them up to
 warn and alarm you. Pay no regard to what I have
 written, otherwise than as supported by fact and the
 judgment of your wise ancestors.

Members of parliament would hardly dare to reject
 the proposed reformation-bill, as knowing themselves
 not to be invulnerable, and remembering that they
 could not command a guard of 500 soldiers each at
 their country houses at all times.

Let the petitions be drawn up and presented in
 the most respectful and most unexceptionable way
 that is possible, so that the fault may all come upon
 government (if they reject the petitions) and none upon
 the people.

' Petitioning, in better English, is no more than re-
 ' questing

‘questing or requiring, and men require not favours
‘but their due’.

If the government shew themselves so wise and so friendly to the people as to grant the petitions, all is safe and secure. For an honest parliament will make every body else honest, and all will go well.

A government which opposes and refuses the undoubted demands of the people, in such manner that the people come to be defeated of their desire, be the subject matter what it will, is no government, but a proper tyranny. Supposing the government to be really and *bonâ fide* persuaded that the demand of the people is unreasonable, in this or any other case, and would prove hurtful to them if granted, they are only to remonstrate against it; and if the people still insist upon it, the government ought to a man to resign, not to resist the supreme power, the majesty of the people. Whoever undertakes to manage any person’s or any people’s affairs in spite of the proprietors, is answerable for all consequences.

‘Whenever the fundamentals of a free government
‘are attacked, or any other schemes ruinous to the ge-
‘neral interest of a nation are pursued, the best service
‘that can be done to such a nation, and even to the
‘prince, is to commence an early and vigorous oppo-
‘sition to them; for the event will always shew, as
‘we shall soon see in the present case, that those who
‘form an opposition in this manner, are the truest
‘friends to both, however they may be stigmatized at
‘first with odious names, which belong more properly
‘to those who throw the dirt at them. If the oppo-
‘sition begin late, or be carried on more faintly

F f 4

‘than

^a MILT. EIKON, 109.

‘ than the exigency requires, the evil will grow ; nay,
‘ it will grow the more by such an opposition, till it
‘ becomes at length too inveterate for the ordinary
‘ methods of cure ; and whenever that happens, when-
‘ ever usurpations on national liberty are grown too
‘ strong to be checked by these ordinary methods, the
‘ people are reduced to this alternative : they must ei-
‘ ther submit to slavery and beggary, the worst of all
‘ political evils, or they must endeavour to prevent the
‘ impending mischief by open force and resistance,
‘ which is an evil but one degree less eligible than the
‘ other. But when the opposition is begun early, and
‘ carried on vigorously, there is time to obtain redress
‘ of grievances, and put a stop to such usurpations by
‘ these gentle and safe methods which their constitu-
‘ tion hath provided ; methods which may and have
‘ often proved fatal to wicked men, but can never prove
‘ fatal to the prince himself. He is never in danger
‘ but when these methods, which all arbitrary courts
‘ dislike, are too long delayed. The most plausible ob-
‘ jection to such proceedings, and by which well-mean-
‘ ing men are frequently made the bubbles of these
‘ who have the worst design, arises from a false notion
‘ of moderation. True political moderation consists
‘ in not opposing the measures of government, except
‘ when great and national interests are at stake ; and
‘ when that is the case, in opposing them with such a
‘ degree of warmth as is adequate to the nature of the
‘ evil, to the circumstances of danger attending it, and
‘ even to these of opportunity. To oppose upon any
‘ other foot, to oppose things which are not blame-
‘ worthy, or which are of no material consequence to
‘ the national interest, with such violence as may dis-
‘ order the harmony of government, is certainly fac-
‘ tion ;

‘tion; but it is likewise faction, and faction of the
‘worst kind, either not to oppose at all, or not to
‘oppose in earnest when points of the greatest import-
‘ance to the nation are concerned^a.’

When an injured nation calls aloud for redress, and can have none from government, the people may be expected to do *themselves* justice, says *Shippen* on the South Sea affair.

‘Parliament has declared it no resistance of magis-
‘trates to side with the just principles of law, nature,
‘and nations. The soldier may lawfully hold the
‘hands of that general, who turns his cannon against
‘his own army; the seaman the hands of that pilot,
‘who wilfully runs the ship on a rock.’ So our brethren
of *Scotland* argued, in the remonstrance of the army in
June 1646^b.

‘*Britain*, according to our present constitution,
‘cannot be undone by parliaments; for there is some-
‘thing which a parliament cannot do. A parliament
‘cannot annul the constitution; and whilst that is
‘preserved, though our condition may be bad, it can-
‘not be irretrievably so. The legislative is a su-
‘preme, and may be called in one sense an absolute,
‘but in none, an arbitrary power. It is limited to the
‘public good of the society. It is a power that hath
‘no other end but preservation, and therefore can
‘never have a right to destroy, enslave, or designedly
‘to impoverish the subjects; for the obligations of the
‘law of nature cease not in society, &c.—If you
‘therefore put so extravagant a case, as to suppose
‘the two houses of parliament concurring to make at
‘once

^a *Bolingbr. REM. HIST. ENG.* 274.

^b *PARL. HIST.* xv. 460.

‘ once a formal cession of their own rights and privi-
‘ leges, and of those of the whole nation, to the crown,
‘ and ask who hath the right and the means to resist the
‘ supreme legislative power ; I answer the whole nation
‘ hath the right, and a people who deserve to enjoy
‘ liberty will find the means. An attempt of this kind
‘ would break the bargain between the king and the
‘ nation, between the representative and collective body
‘ of the people, and would dissolve the constitution.
‘ From hence it follows, that the nation which hath a
‘ right to preserve this constitution, hath a right to
‘ resist an attempt that leaves no other means for pre-
‘ serving it but those of resistance. From hence it fol-
‘ lows, that if the constitution was actually dissolved,
‘ as it would be by such an attempt of the three estates,
‘ the people would return to their original, their na-
‘ tural right, the right of restoring the same constitu-
‘ tion, or of making a new one. No power on earth
‘ could claim any right of imposing a constitution up-
‘ on them, and less than any that king, those lords,
‘ and those commons, who having been intrusted to
‘ preserve, had destroyed the former.—But to sup-
‘ pose a case more within the bounds of possibility,
‘ though one would be tempted to think it as little
‘ within those of probability ; let us suppose our par-
‘ liaments in some future generation to grow so corrupt,
‘ and the crown so rich, that a pecuniary influence
‘ constantly prevailing over the majority, they should
‘ assemble for little else than to establish grievances in-
‘ stead of redressing them ; to approve the measures of
‘ the court without information ; to engage their coun-
‘ try in alliances, in treaties, in wars, without exami-
‘ nation, and to give money without account, and al-
‘ most without stint ; the case would be deplorable.
‘ Our constitution itself would become our grievance
‘ whilst

‘ whilst this corruption prevailed ; and if it prevailed
‘ long, our constitution could not last long ; because
‘ this slow progress would lead to the destruction of it,
‘ as surely as the more concise method of giving it up
‘ at once. But in this case the constitution would help
‘ itself, and effectually too, unless the whole mass of
‘ the people was tainted, and the electors were become
‘ no honefter than the elected. Much time would be
‘ required to beggar and enslave the nation in this
‘ manner. It could scarce be the work of one parlia-
‘ ment, though parliaments should continue to be sep-
‘ tennial. It could not be the work of a triennial par-
‘ liament most certainly ; and the people of *Great Bri-*
‘ *tain* would have none to blame but themselves ; be-
‘ cause, as the constitution is a sure rule of action to
‘ those whom they chuse to act for them, so it is like-
‘ wise a sure rule of judgment to them in the choice
‘ of their trustees, and particularly of such as have re-
‘ presented them already. In short, nothing can de-
‘ stroy the constitution of *Britain* but the people of
‘ *Britain* ; and whenever the people of *Britain* become
‘ so degenerate and base as to be induced by corruption
‘ (for they are no longer in danger of being awed by
‘ prerogative) to chuse persons to represent them in
‘ parliament whom they have found by experience to be
‘ under an influence arising from private interest, de-
‘ pendants on a court, and the creatures of a minister,
‘ or others who are unknown to the people that elect
‘ them, and bring no recommendation but that which
‘ they carry in their purses ; then may the enemies of
‘ our constitution boast that they have got the better
‘ of it, and that it is no longer able to preserve itself,
‘ nor to defend liberty ^a.’

Ten

^a DISSERT. UPON PARTIES, 210.

Ten millions of people are not to sit still, and see a villanous junto overthrow their liberties. Formalities are then at an end. The question, in a season of such extremity, is not, who has a *right* to do this or that? Any man has a right to save his country. ‘In such cases, says *Sidney*^a, every man is a magistrate, and he, who best knows the danger, and the means of preventing it, has the right of calling the senate or people to an assembly.’ The people would, and certainly ought to follow him, as they did *Brutus* and *Valerius* against *Tarquin*, or *Horatius* and *Valerius* against the *Decemviri*. To wait for formalities, while our country lies bleeding, would be as foolish as the stiffness of the officers about *Philip IV.* of *Spain*, who let him catch a violent cold and fever, because the person whose place it was to help the king to his cloak was out of the way, in time of a storm of hail and rain, when he was a hunting.

‘The law does not, neither can it, permit any private man, or set of men, to interfere forcibly in matters of such high importance, [the redress of public grievances] especially as it has established a sufficient power for these purposes in the high court of parliament. Neither does the constitution justify any private, or particular resistance for private or particular injuries; though in cases of national oppression, the nation has very justifiably risen as one man, to vindicate the original contract between the king and people^b.’

The *Spanish* grandees resisted *Charles V.* their sovereign, though he commanded an army of 40,000 men. Nor did he dare to shew resentment. *Nemo potest odia multorum resistere*^c.

^a *Disc. Gov.* 421.

^b *Blackst. Com.* IV. 82.

^c *Robertson's Hist. Ch.* V. II. 430.

Wise nations have always insisted on redress of grievances, before they gave money. A free gift from the cortes of *Castile* to *Charles V.* without the previous conditions, occasioned *A. D.* 1530, a most furious insurrection^a. On this occasion the society called the Junta, set up the lunatic queen *Joanna* against *Charles*, and shook his throne. The Junta remonstrates, requiring not only redress of disorders, but new regulations; among other particulars, against foreign troops, a foreign regent, or foreigners in employments; against free quarters for soldiers; against alienation of royal demesnes; against new erected places; for an adequate representation in the cortes, or parliaments; against court-influence in electing those representatives; a member's receiving for himself, or any of his family, any office, or pension, to be confiscation, or death; each community to pay a competent salary to its representative; the cortes to meet, whether summoned by the king, or not; the unequal privileges of the nobles to be abrogated; inquiry to be made into the disposal of the royal revenues, by the cortes, if the king does not order it in a certain time^b. The same demands were made by the people in many of the other countries of *Europe*, in their struggles for liberty.

Parke, governor of *Antigua*, about the beginning of this century, provoked the people to such a pitch by his tyranny, lewdness with the wives of some of the principal men of the island, and other debaucheries, that they rise upon him, attack him in his own house, and murder him. Remarkable that when *Parke* seemed willing to give security for a change of conduct, the people would not quit their purpose, fearing that if the difference was made up again, he might have

^a *Robertson's Hist. CH. V. II. 156.* ^b *Ibid. II. 106.*

have interest to bring some of them to punishment, as was the case of *Charles I.*^a People in power had better avoid driving things to such an extremity, as to render their destruction necessary, or seemingly so. When the people take redress into their own hands, woe to the tyrants.

‘ *Blackstone’s* cautions for the choice of able men, as
 ‘ so much power is lodged in the parliament, are most
 ‘ certainly obvious and just; but his quotations from
 ‘ *Burleigh, Hale, Montesquieu, and Locke*, and his con-
 ‘ clusions therefrom, require a more close examination.
 ‘ *Burleigh* said *England* could never be ruined by a par-
 ‘ liament. Sir *Matthew Hale*, The parliament being
 ‘ the highest court, over which none other can have
 ‘ any jurisdiction, if this government should fall then,
 ‘ the subject is left without remedy, by any appeal to
 ‘ any higher court. *Montesquieu*, *England* must perish
 ‘ when the legislative shall become more corrupt than
 ‘ the executive. All this from such eminent writers
 ‘ must certainly bespeak the highest regard due, as it
 ‘ points at the greatest danger, and the saddest conse-
 ‘ quences. Consider the evils attending such a scene
 ‘ of things, is the language these sages speak. Whilst
 ‘ your parliament continues as it ought, that great
 ‘ master which might soon be hoped to set at rights all
 ‘ less obstructions from any quarter; but if that fails,
 ‘ what can you expect to follow but the ruin of the
 ‘ machines;—and here these sages, and this writer seem
 ‘ at a full stop.—In ruins we are, and there we must
 ‘ lie; but Mr. *Locke*, who is never at rest till the sub-
 ‘ ject he is treating of is exhausted, and whose com-
 ‘ prehension and precision can never enough be ad-
 ‘ mired, though he sees and acknowledges the danger,
 ‘ distress,

^a MOD. UNIV. HIST. xli. 307.

‘ distress, and wretchedness of such a case, yet he carries
‘ his reader a step farther. Suppose the parliament do
‘ so abuse their trust, exceed their power, and are as so
‘ many tyrants and leechworms to the people; what
‘ then is there no remedy? Yes, saith he, there re-
‘ mains still inherent in the people, a supreme power
‘ to remove or alter the legislature. In case of such,
‘ their flagrant abuse of the trust reposed in them, there
‘ is a forfeiture, and the power devolves to those who
‘ gave it. This is Mr. *Locke*’s theory, but however
‘ just it may be, we cannot adopt it, saith this writer,
‘ because it includes in it a dissolution of the whole
‘ frame of government; and reduces all the members to
‘ their original state of equality. Pray how can it be
‘ just, if it cannot be adopted? Why, if government
‘ be dissolved, can it not be renewed? How did it begin
‘ at first? The power in such case devolves to the
‘ people, who may make such alterations as to them
‘ seem meet. Begin again, saith Mr. *Locke*, accord-
‘ ing to the original design of government, as instituted
‘ by God, the only absolute sovereign and judge of all.
‘ *Salus populi suprema lex esto* ^a.’

Let us hear bishop *Burnet* on the Revolution. ‘ This
‘ was the progress of that transaction, which was con-
‘ sidered all *Europe* over as the trial, whether the
‘ king or the church were like to prevail. The deci-
‘ sion was as favourable as was possible. The king did
‘ assume to himself a power to make laws void; and
‘ to qualify men for employments, whom the law had
‘ put under such incapacities, that all they did was
‘ null and void. The sheriff and mayors of towns were
‘ no legal officers: judges (one of them being a pro-
‘ fessed papist *Alibon*) who took not the test, were no
‘ judges: so that the government, and the legal admi-
‘ nistration

^a CHRON. No. 1786.

‘ nistrated of it, was broken. A parliament returned
‘ by such men, was no legal parliament. All this was
‘ done by virtue of the dispensing power, which changed
‘ the whole frame of our government, and subjected all
‘ the laws to the king’s pleasure: for upon the same
‘ pretence of that power, other declarations might
‘ have come out, voiding any other laws that the court
‘ found stood in their way; since we had scarce any
‘ law that was fortified with such clauses, to force the
‘ execution of it, as those that were laid aside, had in them.
‘ And when the king pretended that such a sacred point
‘ of government, that a petition offered in the modestest
‘ terms, and in the humblest manner possible, calling
‘ it in question, was made so great a crime, and carried
‘ so far against men of such eminence; this I confess
‘ satisfied me that there was a total destruction of our
‘ constitution avowedly begun, and violently prosecuted.
‘ Here was not jealousies nor fears: the thing
‘ was open and avowed. This was not a single act of
‘ illegal violence, but a declared design against the
‘ whole of our constitution. It was not only the
‘ judgment of a court of law: the king had now by
‘ two public acts of state renewed in two successive
‘ years, openly published his design. This appeared
‘ such a total subversion, that according to the principles
‘ that some of the highest assertors of submission
‘ and obedience, *Barklay* and *Grotius* had laid down, it
‘ was now lawful for the nation to look to itself, and
‘ see to its preservation. And as soon as any man was
‘ convinced that this was lawful, there remained nothing,
‘ but to look to the prince of *Orange*, who was
‘ the only person that either could save them, or had
‘ a right to it: since by all the laws in the world, even
‘ private as well as public, he that has in him the re-
‘ version of any estate, has a right to hinder the pos-
‘ sessor,

‘ seffor, if he goes about to destroy that which is to come
‘ to him after the possessor’s death^a.’

When the contest is between a headstrong king, standing by himself, and a set of good ministers, a parliament, and the whole nation, the strife cannot be long-lived. A tyrant can do nothing without a powerful junto of ministers, and an armed force. If the dispute is between a king, surrounded by a set of ministerial tools, and backed by a mercenary army on one side, and on the other, a faithful parliament, and a free people, the command, which parliament has of the purse, will render it difficult for the court to gain their points. But if the contest is between a designing minister, a mercenary army, and a corrupt parliament on one hand, and, on the other, the body of the independent people, the decision may prove difficult, but is most likely to be in favour of liberty, if the people can only unite, and act in concert. For if the cause be unquestionably good, the people will soon have purse, and army, and every thing else in their hands.

Voltaire thinks it would be ridiculous for a citizen of modern *Rome*, to ask the pope to restore consuls, tribunes, a senate, and all the *Roman* republic, or for a modern citizen of *Athens* to propose to the sultan the restoration of the court of *Areopagus*, and the assembly of the people^b. Such transitions as these may be thought too sudden. And a people debased by inveterate slavery, may be judged unfit for freedom. But surely these considerations have nothing to do with the restoration of independency to the *British* house of commons.

Hugh Capet, to establish himself on the throne of *France*, which he had usurped, granted a great value of

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lands

^a *Burn.* II. 467.

^b *Ess. sur l’Hist.* II. 199.

lands to the nobility of *France*. By this means the crown became poor, and the *grande*s rich. So that when the king carried on war with the approbation of the *grande*s, he made a figure. If he began war of his own head, his forces were inconsiderable. And those great vassals thought themselves ‘privileged to
 ‘levy war against their king, in case of oppression, or
 ‘even for a bare denial of justice’.

Christopher II. king of *Denmark* made some alterations in a monastery, without leave of his bishops, and renewed the plough-tax, which, they alleged, was contrary to his coronation-oath, &c. An immediate insurrection followed, and proclamations were published, inviting all the friends of liberty to join against the king. He was driven from his kingdom, and with great difficulty restored; but never afterwards enjoyed any peace^b.

In a debate during the prosecution of lord *Oxford*, Sir *Watkins Williams Wynne* speaks as follows:

‘A civil war I shall grant is a terrible misfortune;
 ‘but it is far from being the most terrible; for I had
 ‘rather see my country engaged in civil war, than see
 ‘it tamely submit but for one year to ministerial bon-
 ‘dage; therefore if this country should be reduced to
 ‘the fatal dilemma of being obliged to give up its li-
 ‘berties, or engage in a civil war, I hope no true
 ‘*Briton* would balance a moment in his choice.’

‘Thus his majesty may be prevailed on, to continue
 ‘a bad minister at the head of the administration, not-
 ‘withstanding the people’s being generally convinced
 ‘that he is every day undermining their liberties, by
 ‘means of a venal and corrupt parliament; and if this
 ‘should

^a *Rap.* I. 223.

^b *MOD. UNIV. HIST.* XXXII. 231.

‘ should be the case, I must conclude that a civil war
 ‘ will certainly ensue; or I must form a much more dis-
 ‘ agreeable conclusion, which is, that the people of this
 ‘ country are so much degenerated from the virtue and
 ‘ courage of their ancestors, that they chuse rather to
 ‘ submit tamely to slavery, than to run the risk of ascer-
 ‘ taining their liberties by the sword ^a.’

‘ If the means for preventing slavery have not been
 ‘ provided in the first constitution of a country, or from
 ‘ the changes of times, corruption of manners, insen-
 ‘ sible encroachments, or violent usurpations of princes,
 ‘ have been rendered ineffectual, and the people exposed
 ‘ to all the calamities that may be brought upon them
 ‘ by the weakness, vices, and malice of the prince, or
 ‘ those who govern him, I confess the remedies are more
 ‘ difficult and dangerous; but even in these cases they
 ‘ must be tried. Nothing can be feared, that is worse
 ‘ than what is suffered, or must in a short time fall upon
 ‘ those who are in this condition. They who are al-
 ‘ ready fallen into all that is odious, shameful, and mi-
 ‘ serable, cannot justly fear. When things are brought
 ‘ to such a pass, the boldest counsels are the most safe;
 ‘ and if they must perish who lie still, and they can but
 ‘ perish who are more active, the choice is easily made.
 ‘ Let the danger be never so great, there is a possibility
 ‘ of safety, whilst men have life, hands, arms, and cou-
 ‘ rage to use them; but that people must certainly pe-
 ‘ rish, who tamely suffer themselves to be oppressed,
 ‘ either by the injustice, cruelty, and malice of an ill
 ‘ magistrate, or by those who prevail upon the vices and
 ‘ infirmities of weak princes. It is vain to say, that this
 ‘ may give occasion to men of raising tumults, or civil
 ‘ war; for though these are evils, yet they are not the

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‘ greatest

^a DEB. COM. XIII. 92.

‘greatest of evils. Civil war in *Machiavel’s* account
‘is a *disease*, but tyranny is the *death* of a state. Gentle
‘ways are first to be used, and it is best if the work
‘can be done by them; but it must not be left undone
‘if they fail. It is good to use supplications, advices,
‘and remonstrances; but those who have no regard to
‘justice, and will not hearken to counsel, must be con-
‘strained.’

This shews clearly the insignificancy of clamouring
against ministers, and requesting the dissolution of
parliaments, instead of setting ourselves in earnest to
restore the constitution. We see the same corrupt or
impolitic proceedings going on in the administration of
a *Harley*, a *Walpole*, a *Pelham*, a *Pitt*, a *Bute*, a *Graf-
ton*, a *North*; and we see every parliament implicitly
obeying the orders of the minister. Some mini-
sters we see more criminal, others less; some parlia-
ments more slavish, others less; but we see all mini-
sters, and all parliaments, the present always ex-
cepted guilty, inexcusably guilty, in suffering the
continual and increasing prevalency of corruption,
from ministry to ministry, and from parliament to par-
liament. Could we have had every one of our corrupt
ministers impeached, and even convicted, would a
corrupt parliament filled with their obsequious tools,
have punished them? If we did nothing toward
a radical cure of grievances, and obliging the suc-
ceeding to be honest than the foregoing; what
should we have gained by such prosecutions? The
greatest part of the *Roman* emperors was massacred, and
so are many of our *Asiatic* and *African* tyrants. But
did the *Romans*, or do the *Turks*, and the people of *Al-
giers*, gain any additional liberty by the punishment of
their

^a *Sidn. Disc. ON GOV. 434.*

their oppressors? We know they do not. Nor shall we by clamouring, nor even by punishing; any more than we stop robbing on the highway by hanging, unless we put it out of the *power* of ministers to go on abusing us, and trampling upon our liberties; and this can only be done by restoring independency to parliament.

‘ It is true, such as would correct errors, and watch
 ‘ that no invasion may be made on liberty, have been
 ‘ heretofore called a faction by the persons in power;
 ‘ but it is not properly the name, and ought to be given
 ‘ to another sort of men. It is wrong to call them the
 ‘ faction, who by all dutiful and modest ways promote
 ‘ the cause of liberty, as the true means to endear a
 ‘ prince to his subjects, and to lay upon them a
 ‘ stronger tie, and obligation to preserve his govern-
 ‘ ment. For a people will certainly best love and de-
 ‘ fend that prince, by whom the greatest immunities,
 ‘ and most good laws have been granted. They can-
 ‘ not properly be termed the faction, who desire a war
 ‘ should be managed upon such a foot of expence as the
 ‘ nation is able to bear; who would have the public
 ‘ treasure not wasted, the prince not deceived in his
 ‘ grants and bargains, who would have the ministry
 ‘ watchful and industrious, and who, when they com-
 ‘ plain, are angry with things, and not with persons.
 ‘ The name of faction does more truly belong to them,
 ‘ who, though the body politic has all the signs of death
 ‘ upon it, yet say, all is well; that the riches of the
 ‘ nation are not to be exhausted; that there is no mis-
 ‘ government in all its business; that it feels no de-
 ‘ cay; that its œconomy is perfect, and who all the
 ‘ while are as arrogant and assuming, as if they had
 ‘ saved that very people whom their folly and mad con-
 ‘ duct has in a manner ruined. They may be rather

‘ termed the faction, who were good patriots out of the
‘ court, but are better courtiers in it; and who pre-
‘ tended to fear excess of power, while it was not com-
‘ municated to them; but never think the monarchy
‘ can be high enough advanced when they are in the
‘ administration^a.’

‘ Perhaps nothing can more contribute to restore
‘ peace and order in a government, than to overlook the
‘ persons of men, either in contempt or in compassion,
‘ and to fall to work in earnest upon mending things.
‘ A man may without imputation of blame profess a
‘ friendship, and adhere to this or that great man, pre-
‘ tending to believe him innocent when accused, and
‘ consequently join with those who are connected in
‘ his defence. But can any party be formed, and can
‘ any be so insolent to go along with them, who shall
‘ openly declare for such crimes, and for such and such
‘ corruption and mismanagement? Nor indeed can any
‘ thing more disappoint the ambitious and wicked de-
‘ signs of corrupt men, than to take away their pre-
‘ tences and false colours, and to leave them without
‘ excuse; which you do, when, without expressing
‘ anger or prejudice to the persons of men, you make
‘ it manifest that your only aim is to put it out of their
‘ power, or out of the power of such as will tread in
‘ their steps hereafter, to bring any farther mischiefs
‘ upon the commonwealth; and where these measures
‘ are taken, it is difficult, if not impossible, to form or
‘ keep up parties that shall combine to protect and
‘ countenance the vices of the age: for it being the
‘ interest of much the major part to be well governed,
‘ where the people plainly see all affairs carried on
‘ calmly, and without piques and personal enmities,
‘ they

^a *Daven.* 11. 303.

‘ they let faction drop, which produces what may be called right and perfect government ^a.’

It could not be pretended, that an association for restoring the independency of parliament, was a party affair.

If no point be obtained, but redress of a personal injury, or particular grievance, the nation may remain in the same ruinous condition as before. But if independency of parliament were restored, all personal injuries, and particular grievances, would of course be redressed.

Unsuccessful attempts to obtain an enlargement of liberty, have often issued in an abridgment of it. This hazard may be worth running for the sake of a national object; but it is not worth while to risque it for the sake of obtaining redress of a *particular* grievance.

All are not agreed about *particular* grievances. But all are agreed about the necessity of an independent parliament, and the certainty of the ruin which parliamentary corruption must bring on. One would expect an association upon a broad foundation, to attract into its sphere greater numbers, than one set up with any particular view.

A designing ministry desires no better than that the people’s attention be engaged about trifling grievances, such as have employed us since the late peace. This gives them an opportunity of wreathing the yoke around our necks, because it gives them a pretence for increasing the military force. Instructing, petitioning, remonstrating, and the like, are good diversion for a court; because they know, that, in such ways, nothing will be done against their power. A grand national association for obtaining an independent parliament

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^a Daven. 356.

would make them tremble. For they know, that the nation, if in earnest, would have it, and that with the cessation of their influence in parliament, their power must end.

‘ The *Romans*, in the Imperial times, destroyed many
‘ of the monsters who tyrannized over them. But the
‘ greatest advantage gained by their death was a respite
‘ from ruin: and the government, which ought to
‘ have been established by good laws, depending only
‘ upon the virtue of one man, his life proved no more
‘ than a lucid interval, and at his death they relapsed
‘ into the depth of infamy and misery; and in this
‘ condition they continued till that empire was totally
‘ subverted. All the kingdoms of the *Arabians*, *Medes*,
‘ *Persians*, *Moors*, and others of the East, are of the
‘ other sort. Common sense instructs them, that bar-
‘ barous pride, cruelty and madness, grown to extre-
‘ mity, cannot be born: but they have no other way
‘ than to kill the tyrant, and to do the like to his suc-
‘ cessor, if he fall into the same crimes. Wanting that
‘ wisdom and valour which is required for the institu-
‘ tion of a good government, they languish in perpetual
‘ slavery, and propose to themselves nothing better than
‘ to live under a gentle master, which is a precarious
‘ life, and little to be valued by men of bravery and
‘ spirit. But those nations that are more generous,
‘ who set a higher value upon liberty, and better un-
‘ derstand the ways of preserving it, think it a small
‘ matter to destroy a tyrant, unless they can also
‘ destroy the tyranny. They endeavour to do the
‘ work thoroughly, either by changing the government
‘ intirely, or reforming it according to the first institu-
‘ tion, and making such good laws as may preserve its
‘ integrity when reformed. This has been so frequent
‘ in all the nations, both ancient and modern, with
‘ whose

‘ whose actions we are best acquainted, as appears by
‘ the foregoing examples, and many others that might
‘ be alleged, if the case were not clear, that there is
‘ not one of them which will not furnish us with many
‘ instances; and no one magistracy now in being which
‘ does not owe its original to some judgment of this
‘ nature. So that they must either derive their right
‘ from such actions, or confess they have none at all,
‘ and leave the nation to their original liberty of setting
‘ up these magistracies which best please themselves,
‘ without any restriction or obligation to regard one
‘ person or family more than another^a.’

I know nothing of war, and therefore can propose nothing concerning the conduct of it; but to wish that it may be avoided if possible. Of all the evils to which human nature is obnoxious, none, excepting fixed slavery, is so formidable as war; and of all wars *civil* war is the most to be dreaded.

When I proposed, p. 428, to draw out a plan for restoration of independency to parliament, I intended to prescribe minutely the steps to be taken for that purpose. But on more mature consideration it occurred to me, that in tracing out this plan I should naturally be led to touch upon some particulars which might alarm the more timorous part of readers, and render them less inclined to join the grand national association. I therefore chose to proceed no farther; but to leave to the wisdom of succeeding times to determine the particular steps to be taken from the association to the obtaining of the great object, excepting what may be learned from the histories and precedents I have here given of associations for such national purposes.

Look

^a *Sign.* DISC. ON GOV. 439.

Look down, O King of kings, and Ruler of nations, from where thou fittest enthroned high above all heighth, clothed in uncreated majesty, and surrounded with that light to which none can approach, look down upon this once favoured nation, and behold the difficulties and the dangers which now surround us. Rend asunder the thick and gloomy cloud which now hangs over us, big with tempest, and ready to burst upon our heads, and shine forth with brighter beams than those of the meridian sun on this once happy land, once the abode of peace and virtue, the temple of liberty, civil and religious.

Open the eyes of this unthinking people, that they may see the hideous precipice, on the brink of which they stand, and in time regain a station of security for the commonwealth, before it sinks in ruins never more to rise.

Send forth a spirit of wisdom, and of union, of submission to wise and just government, and of courage to resist oppression and tyranny.

Save the virtue of this great multitude, in danger of being utterly destroyed by corruption. Save the protestant religion, for which so many of thy faithful servants have bravely laid down their lives, and from the blaze of the cruel fires which consumed their bodies, ascended to celestial glory. Let not the infernal cloud of popish delusion any more, in this land, obscure the brightness of that system of truth which descended from thy throne, and which shews the way thitherward to every faithful votary of religious truth. Time was when this favoured land was the very bulwark of reformed religion. O let it never lose that glorious title. Let this one country at least possess the inestimable treasure.

Break

Break thou the iron sceptre with which tyrants break and destroy the liberties of mankind. Let the envenomed worms of the earth know that it never was thy intention that they should devour their fellow-worms, their subjects. Assert thy supreme dominion over those who impiously pretend to be thy vicegerents upon earth, to which honour they know Thou hast never called them, and that the unjust authority they assume they have obtained by wicked craft, or by lawless violence, and the effusion of human blood.

Thou art thyself the glorious patron of liberty. Thy intention was, that man should be free. Thy service is perfect freedom. The decrees of the puny tyrants of this world are often impious and rebellious against thy supreme commands, which are all righteous and good, and worthiest to be obeyed. Let the encroaching tyrant, let the corruptor of the people, and the persecutor on account of religious opinions, cease from this land. Let the voice of perjury be no more heard; let the damning bribe be no more seen in this country. Or if any have polluted themselves with the accursed thing which troubleth our camp, may the pangs of conscience seize upon them, may the powers of the world to come amaze and terrify them, and may they, before it be too late, give up the wages of corruption, the price of their betrayed country.

Put it into the hearts of those whose station gives them the power, to restore to the people willingly, and without compulsion, their unalienable rights and privileges. Inspire them with the wise and humane consideration, that, as the shepherds of the people, as the fathers of their country, they are obliged to deny themselves, to mortify their desire of riches, power, and pleasure,

sure, and without waiting for the solicitations of the people, they ought to prevent their wishes, to offer and hold out to them whatever is for their advantage.

Let the cause of civil and religious liberty prove victorious. May the divine presence be to the defenders of liberty a pillar of light, and of defence, and to the host of the oppressors a pillar of cloud, of darkness and confusion. Arise, and come forth from thy sacred seat, clothed in all thy terrors. Let thy lightnings enlighten the world. Let thy thunders shake the mountains. Let dismay and horror overwhelm the courage of thine enemies.

In thy hands, O Father and Preserver of all, doth thy servant desire to leave his King and Country, in the hope that they shall be safe under thy heavenly protection; and to Thee doth he consecrate this and all his weak but well-intentioned labours for the good of his fellow-creatures, humbly hoping, that his infirmities shall be overlooked, and his offences blotted out; not on account of any merit in himself, but through the magnanimity of him who is hereafter to judge the world in righteousness and in mercy.

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ken matrimonial vows. The effects of that evil example remain still, though the behaviour of the present king (whom God preserve) is the very opposite of that I refer to. It will appear hereafter, that the *examples of kings* do not make *right* and *wrong*. And our wicked wits may rack their brains till doomsday; but will never be able to prove, that the promiscuous commerce of the sexes is consistent with the order of *nature*, while the numbers of both that are born are so nearly *equal*, which effectually cuts off the pretext of any one to carry on a commerce with a plurality, and obliges every one to keep to *one*.

Would any of our modern wits choose to be thought the son of a wh—, rather than born in wedlock? Would any of them choose to have his sister or his daughter debauched? Do we not pronounce the contented cuckold, the wretch, who will bear with patience the defilement of his bed, a disgrace to the species? Is it not then manifest, that every man who is guilty of lewdness is self-convicted, of doing that by others which he will not bear at the hand of any other? This is acting directly contrary to the golden rule, which all nations have adopted, viz. ‘What you would not have done to you, do not that to others.’ If any man would fairly stand forth and declare, that he will do what he pleases, whether right or wrong, he declares himself the enemy of all order, and unfit to be suffered to exist among rational and moral beings.

That every man have his own wife, and every woman her own husband, is the voice of nature as well as of scripture.

Polygamy is unnatural. By the *Mahomedan* law any man may have four wives. But few men take the

advantage of the law. They who have the greatest number, are always the most jealous ^a.

Young men would do well to consider, that the indulging of those desires only inflames their rage.

Remarkable is the story of a beautiful *Arabian* woman, taken by force from her husband by the governor of *Casa*, who told the khalif, ordering him to restore her, that if he would give him leave to keep her one year, he would be content to have his head struck off at the end of the year ^b.

A man's leaving the bed of his worthy spouse, who perhaps now begins to verge toward age, and his invading that of his friend, who trusts him, what does it shew, but that he is capable of the basest treachery, to gratify the most unworthy appetite. And the woman, whose libidinous disposition

(Cum tibi flagrans amor et libido,
Quæ solet matres furiare equorum,
Sæviet circa jecur ulcerosum

Non sine questu. HOR.)

drives her from her home and her husband, raging, as *Horace* here describes some ladies of his times,—what elegance, what taste, does she exhibit? It is granted, that love, where the ornaments of the mind more than those of the outward form are the object, is a passion full of elegant sentiment. But love can have no place where one of the parties is engaged to another person. The only sentiments, which can enter into such a connexion are those of lust and of remorse. Where the elegance of them lies, I own I do not understand.

Neither

^a MOD. UNIV. HIST. VI. 247.

^b Ibid. II. 84.

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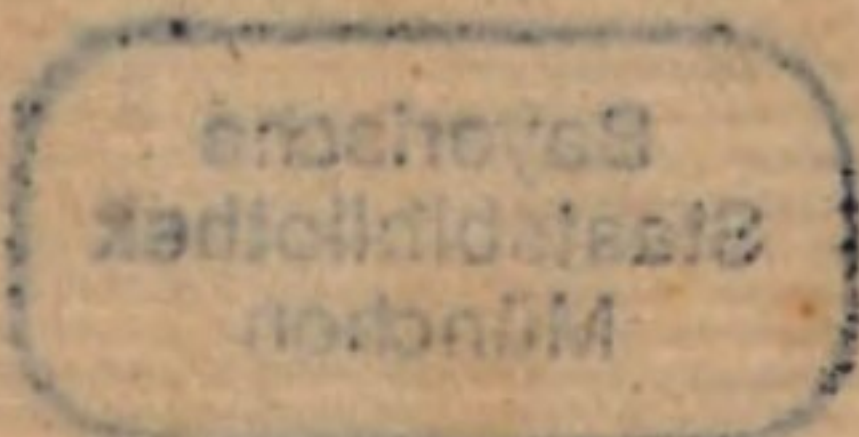
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